

JOURNAL

of the

SENATE OF THE TWELFTH LEGISLATURE

of the

STATE OF HAWAII

Regular Session of 1983

Convened Wednesday, January 19, 1983

Adjourned Wednesday, April 22, 1983

OFFICERS OF THE SENATE

President

HONORABLE RICHARD S.H. WONGHonolulu, Hawaii

Vice-President

HONORABLE JOSEPH T. KURODAHonolulu, Hawaii

Clerk

TIMOTHY DAVID WOO, JR.Honolulu, Hawaii

Assistant Clerk

RICHARD K. PERKINSHonolulu, Hawaii

Sergeant-at-Arms

BIENVENIDO C. VILLAFLORESHonolulu, Hawaii

LIST OF MEMBERS
of the
SENATE OF THE TWELFTH LEGISLATURE
of the
STATE OF HAWAII

DISTRICT	NAME	ADDRESS
First	Carpenter, Dante K. (D)	176 Likeke Street Hilo, Hawaii 96720
Second	Henderson, Richard (R)	P.O. Box 747 Hilo, Hawaii 96720
Third	Solomon, Malama (D)	P.O. Box 219 Kohala, Hawaii 96755
Fourth	Yamasaki, Mamoru (D)	P.O. Box 1516 Kahului, Hawaii 96732
Fifth	Machida, Gerald (D)	508 Kamehameha Avenue Kahului, Hawaii 96732
Sixth	Soares, W. Buddy (R)	State Capitol Honolulu, Hawaii 96813
Seventh	Cobb, Steve (D)	State Capitol Honolulu, Hawaii 96813
Eighth	Kobayashi, Ann (R)	State Capitol Honolulu, Hawaii 96813
Ninth	Kobayashi, Bertrand (D)	State Capitol Honolulu, Hawaii 96813
Tenth	Uwaine, Clifford T. (D)	State Capitol Honolulu, Hawaii 96813
Eleventh	Abercrombie, Neil (D)	State Capitol Honolulu, Hawaii 96813
Twelfth	Chang, Anthony K.U. (D)	State Capitol Honolulu, Hawaii 96813
Thirteenth	Holt, Milton (D)	State Capitol Honolulu, Hawaii 96813
Fourteenth	Kawasaki, Duke T. (D)	State Capitol Honolulu, Hawaii 96813
Fifteenth	Wong, Richard S.H. (D)	State Capitol Honolulu, Hawaii 96813
Sixteenth	Mizuguchi, Norman (D)	State Capitol Honolulu, Hawaii 96813
Seventeenth	Kuroda, Joseph T. (D)	State Capitol Honolulu, Hawaii 96813
Eighteenth	Young, Patsy K. (D)	State Capitol Honolulu, Hawaii 96813

DISTRICT	NAME	ADDRESS
Nineteenth	James Aki (D)	State Capitol Honolulu, Hawaii 96813
Twentieth	Benjamin J. Cayetano (D)	State Capitol Honolulu, Hawaii 96813
Twenty-First	Gerald T. Hagino (D)	State Capitol Honolulu, Hawaii 96813
Twenty-Second	Charles T. Toguchi (D)	State Capitol Honolulu, Hawaii 96813
Twenty-Third	Ajifu, Ralph K. (R)	State Capitol Honolulu, Hawaii 96813
Twenty-Fourth	Mary George (R)	State Capitol Honolulu, Hawaii 96813
Twenty-Fifth	Lehua Fernandes Salling (D)	1347 Ulu Street Kapaa, Hawaii 96746

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Senator Gerald T. Hagino, Chairman
Senator Malama Solomon, Vice-Chairman

Senator James Aki	Senator Charles T. Toguchi
Senator Anthony K.U. Chang	Senator Ralph Ajifu
Senator Lehua Fernandes Salling	Senator Richard Henderson
Senator Gerald K. Machida	

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Senator Anthony K.U. Chang, Vice-Chairman

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Senator Benjamin J. Cayetano	Senator Mamoru Yamasaki
Senator Milton Holt	Senator Richard Henderson
Senator Bertrand Kobayashi	Senator W. Buddy Soares
Senator Joseph T. Kuroda	

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Senator Gerald K. Machida	Senator Ann Kobayashi
Senator Malama Solomon	

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Senator Dante K. Carpenter	Senator Joseph T. Kuroda
Senator Steve Cobb	Senator Gerald K. Machida
Senator Lehua Fernandes Salling	Senator Richard Henderson
Senator Gerald T. Hagino	Senator W. Buddy Soares
Senator Milton Holt	

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Senator Dante K. Carpenter	Senator Ralph K. Ajifu
Senator Milton Holt	Senator Ann Kobayashi
Senator Joseph T. Kuroda	

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Senator Norman Mizuguchi	Senator Mary George
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Senator Gerald T. Hagino	

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Senator Clifford T. Uwaine
Senator Ann Kobayashi

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Senator Mary George

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Senator Anthony K.U. Chang
Senator Norman Mizuguchi
Senator Malama Solomon
Senator Mamoru Yamasaki
Senator Ralph K. Ajifu
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Senator Mamoru Yamasaki
Senator Ralph K. Ajifu

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Senator Steve Cobb
Senator Milton Holt
Senator Joseph T. Kuroda
Senator Patsy K. Young
Senator Richard Henderson
Senator Ann Kobayashi

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Senator Steve Cobb
Senator Milton Holt
Senator Joseph T. Kuroda
Senator Gerald T. Machida
Senator Mary George
Senator Ann Kobayashi

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Senator Mary George

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Senator Dante K. Carpenter
Senator Duke T. Kawasaki
Senator Bertrand Kobayashi
Senator Gerald K. Machida
Senator Norman Mizuguchi
Senator Mary George
Senator W. Buddy Soares

TRANSPORTATION

Senator Clifford T. Uwaine
Senator Mamoru Yamasaki
Senator James Aki
Senator Anthony K.U. Chang
Senator Duke T. Kawasaki
Senator Joseph T. Kuroda
Senator Malama Solomon
Senator Mary George
Senator W. Buddy Soares

WAYS AND MEANS

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Senator James Aki
Senator Anthony K. U. Chang
Senator Gerald T. Hagino
Senator Milton Holt
Senator Gerald K. Machida
Senator Norman Mizuguchi
Senator Malama Solomon
Senator Clifford T. Uwaine
Senator Patsy K. Young
Senator Ralph K. Ajifu
Senator Richard Henderson
Senator W. Buddy Soares

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Senator Malama Solomon, Chairman
Senator Charles T. Toguchi, Vice-Chairman
Senator Bertrand Kobayashi
Senator Clifford T. Uwaine
Senator Ann Kobayashi

SPECIAL COMMITTEE

RED TAPE

Senator Bertrand Kobayashi, Chairman
Senator Steve Cobb, Vice-Chairman
Senator Duke T. Kawasaki
Senator Richard Henderson

**MEMBERS OF THE SENATE
TWELFTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 1983**



RICHARD S.H. WONG
15th Senatorial District
President



JOSEPH T. KURODA
17th Senatorial District
Vice-President
Chairman: Tourism



CLIFFORD T. UWAINÉ
10th Senatorial District
Majority Leader
Chairman: Transportation



STEVE COBB
7th Senatorial District
Majority Floor Leader
Chairman: Consumer
Protection and Commerce



GERALD T. HAGINO
21st Senatorial District
Assistant Majority
Floor Leader
Chairman: Agriculture;
Federal Relations



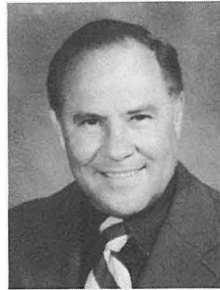
MALAMA SOLOMON
3rd Senatorial District
Assistant Majority
Floor Leader
Chairman: Education
Youth and Elderly
Affairs



PATSY K. YOUNG
18th Senatorial District
Majority Policy Leader
Chairman: Hawaiian Programs;
Housing and Urban
Development; Legislative
Management



RICHARD HENDERSON
2nd Senatorial District
Minority Leader



W. BUDDY SOARES
6th Senatorial District
Minority Floor Leader



MARY GEORGE
24th Senatorial District
Minority Policy Leader



NEIL ABERCROMBIE
11th Senatorial District



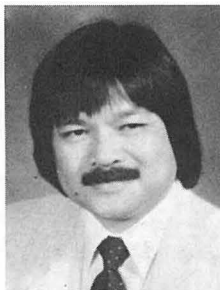
RALPH K. AJIFU
23rd Senatorial District



JAMES AKI
19th Senatorial District
Chairman: Culture and
Arts; Economic
Development



DANTE K. CARPENTER
1st Senatorial District



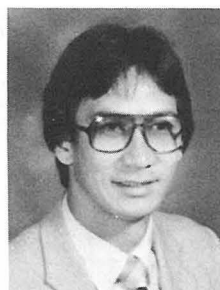
BENJAMIN J. CAYETANO
20th Senatorial District



ANTHONY K.U. CHANG
12th Senatorial District
Chairman: Ecology,
Environment and
Recreation; Judiciary



LEHUA FERNANDES SALLING
25th Senatorial District



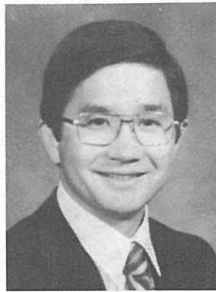
MILTON HOLT
13th Senatorial District
Chairman: Higher Education



DUKE T. KAWASAKI
14th Senatorial District
Chairman: Government
Operations and County
Relations



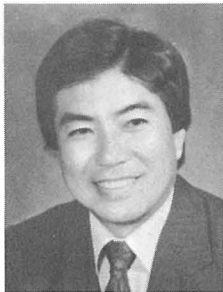
ANN KOBAYASHI
8th Senatorial District



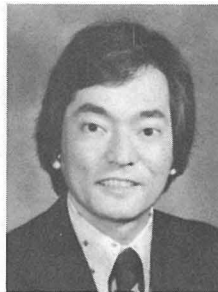
BERTRAND KOBAYASHI
9th Senatorial District
Chairman: Red Tape



GERALD K. MACHIDA
5th Senatorial District
Chairman: Health



NORMAN MIZUGUCHI
16th Senatorial District
Chairman: Human Resources



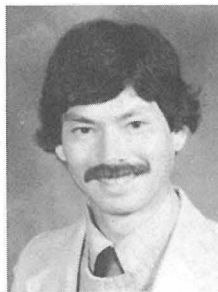
CHARLES T. TOGUCHI
22nd Senatorial District



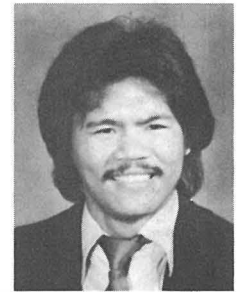
MAMORU YAMASAKI
4th Senatorial District
Chairman: Ways and Means



TIMOTHY DAVID WOO, JR.
Clerk



RICHARD K. PERKINS
Assistant Clerk



BIENVENIDO C. VILLAFIOR
Sergeant-at-Arms

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THE
TWELFTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 1983
JOURNAL OF THE SENATE

FIRST DAY

Wednesday, January 19, 1983

In accordance with the provisions of Section 10 of Article III of the Constitution of the State of Hawaii, the Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, was called to order at 10:00 o'clock a.m., Wednesday, January 19, 1983, by the Honorable Richard S.H. Wong, Temporary Chairman of the Senate.

At this time, the members of the Senate and the audience rose to sing the National Anthem and Hawaii Ponoï, led by Zoulu.

The Divine Blessing was invoked by Father Joseph L. Priestley, Associate Pastor of Holy Family Church. Father Priestley was escorted to the dais by Senators Chang, Aki and A. Kobayashi.

Nominations now being in order for a Temporary Clerk, Senator Kuroda nominated T. David Woo, Jr., seconded by Senator Henderson.

Senator Uwaine then moved that the nominations be closed, seconded by Senator Toguchi and carried, and T. David Woo, Jr. was appointed as Temporary Clerk of the Senate.

At 10:11 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:12 o'clock a.m.

Senator Solomon then moved that a committee of three Senators be appointed by the Chair as a Committee on Credentials to examine the certificates of election of the members of the Senate and to submit a report of its findings to the Senate, seconded by Senator Holt.

The motion was put by the Chair and carried, and Senators Young, Yamasaki and George were thereupon appointed by the Chair to serve on the Committee on Credentials.

At 10:14 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:16 o'clock a.m.

SPECIAL COMMITTEE REPORT

Senator Young, for the Committee on Credentials, presented a report (Spec. Com. Rep. No. 1) which was read by the Temporary Clerk as follows:

"The Honorable Richard S.H. Wong
Temporary Chairman of the Senate
The Twelfth State Legislature
State Capitol
Honolulu, Hawaii 96813

Dear Chairman Wong:

Your Committee on Credentials begs leave to report that it has examined the Certificates of Election of the Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, and finds that the following persons have been legally elected and are fully qualified to sit as members of the Senate.

The elected Senators whose respective terms of office will expire in 1984 are:

FIRST SENATORIAL DISTRICT

Dante K. Carpenter

SECOND SENATORIAL DISTRICT

Richard Henderson

FOURTH SENATORIAL DISTRICT

Mamoru Yamasaki

SIXTH SENATORIAL DISTRICT

W. Buddy Soares

EIGHTH SENATORIAL DISTRICT

Ann Kobayashi

TENTH SENATORIAL DISTRICT

Clifford T. Uwaine

THIRTEENTH SENATORIAL DISTRICT

Milton Holt

FIFTEENTH SENATORIAL DISTRICT

Richard S.H. Wong

SIXTEENTH SENATORIAL DISTRICT

Norman Mizuguchi

EIGHTEENTH SENATORIAL DISTRICT

Patsy K. Young

TWENTY-THIRD SENATORIAL DISTRICT

Ralph K. Ajifu

TWENTY-FOURTH SENATORIAL DISTRICT

Mary George; and

The newly elected Senator whose term of office will expire in 1984 is:

SEVENTH SENATORIAL DISTRICT

Steve Cobb

The newly elected Senators whose respective terms of office will expire on November 2, 1986 are:

THIRD SENATORIAL DISTRICT

Malama Solomon

FIFTH SENATORIAL DISTRICT

Gerald K. Machida

NINTH SENATORIAL DISTRICT

Bertrand Kobayashi

ELEVENTH SENATORIAL DISTRICT

Neil Abercrombie

TWELFTH SENATORIAL DISTRICT

Anthony K.U. Chang

FOURTEENTH SENATORIAL DISTRICT

Duke T. Kawasaki

SEVENTEENTH SENATORIAL DISTRICT

Joseph T. Kuroda

NINETEENTH SENATORIAL DISTRICT

James Aki

TWENTIETH SENATORIAL DISTRICT

Benjamin J. Cayetano

TWENTY-FIRST SENATORIAL DISTRICT

Gerald T. Hagino

TWENTY-SECOND SENATORIAL DISTRICT

Charles T. Toguchi

TWENTY-FIFTH SENATORIAL DISTRICT

Lehua Fernandes Salling

Respectfully submitted,

Patsy K. Young, Chairman
Mamoru Yamasaki
Mary George"

Senator Young moved that Special Committee Report No. 1 be adopted, seconded by Senator George and carried.

The Committee was thereupon discharged with thanks.

The Temporary Chairman then appointed Senators B. Kobayashi, Fernandes Salling and Ajifu as a Committee of Three to escort Justice Herman Lum, Acting Chief Justice, Hawaii State Supreme Court, to the rostrum to administer the oath of office to the members of the Senate.

The Committee escorted Justice Lum and was thereupon discharged with thanks.

Justice Lum then administered the oath of office to the newly elected members of the Senate standing at their respective desks.

At this time, the Roll was called showing all Senators present.

The Temporary Chairman then made the following introductions, stating as

follows:

"Today is always a happy occasion for the families of the people who get elected to office. In the Senate today, we have a very unique kind of legacy.

"I would like to introduce to you Mrs. Jessie Fernandes who is 84 years old and the widow of former State Senator John B. Fernandes. Here, representing the second generation of the Fernandes family and no stranger to this chamber, is former State Senator William 'Billy' Fernandes. And, of course in keeping with the family tradition, in this honorable body today is Senator Lehua Fernandes Salling, representing the third generation."

The Temporary Chairman then requested the mothers, fathers, and spouses of the Senators to rise and be recognized.

Then, the Temporary Chairman introduced his mother, Mrs. Jane Wong, and his uncle, Mr. C.U. Wong, who has been like a father to him.

At 10:26 o'clock a.m. the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:48 o'clock a.m.

SENATE RESOLUTION

A resolution (S.R. No. 1), entitled: "SENATE RESOLUTION RELATING TO THE ADOPTION OF THE RULES OF THE SENATE," was offered by Senators Carpenter and Henderson, and was read by the Clerk.

On motion by Senator Carpenter, seconded by Senator Henderson and carried, S.R. No. 1 was adopted.

Nominations for the officers of the Senate being next in order, Senator Kawasaki placed in nomination the name of Senator Richard S.H. Wong as President of the Senate, seconded by Senator Henderson.

Senator Fernandes Salling moved that the nominations be closed, seconded by Senator Machida. The motion to close the nominations was put by the Chair and carried unanimously, and the Temporary Clerk was directed to cast a unanimous ballot for Senator Wong as President of the Senate.

The ballot having been so cast, Senator Wong was declared

unanimously elected as President of the Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983.

The President then addressed the members of the Senate and guests as follows:

"Governor Ariyoshi, Lieutenant Governor Waihee, Acting Chief Justice Lum, distinguished guests, fellow Senators, ladies and gentlemen - my personal Aloha to you all.

"To my fellow Senators, I would like to express my gratitude for the honor and trust which you have placed in me by electing me your president. I pledge to serve you to the best of my ability.

"I must confess that I am somewhat unfamiliar with making an acceptance speech on the opening day of the Legislature. The Senate is known as a great deliberative body and the last two times we organized, we deliberated several days into the session before we were able to organize. Now, I am all in favor of full deliberations but that was probably carrying things a little too far.

"Hopefully, we are now establishing a new precedent of organizing early. If the good Lord and the people of the Fifteenth Senatorial District see fit to give me another term of office, I hope you will give me another chance to make an opening day acceptance speech when the Thirteenth State Legislature convenes.

"The opening day of the Legislature is always a day of hope and optimism, of festivities and high expectations. I know all of us are eager to start working on the issues that are before the Legislature. It is my sincere wish that we will be able to do our work over the next three months creatively, responsibly, and compassionately.

"One of the duties of being president of the Senate is that I get this opportunity to outline some of the major issues coming before the Legislature this session.

"Well, here goes.

"Surely, our greatest challenge this year is in the budgetary and fiscal area. State revenue trends have gone down drastically, necessitating major cuts and restrictions in state spending. The outlook for the

coming fiscal biennium is by no means an optimistic one.

"The implications of all this are clear. In our budget deliberations this year, we may well be called upon to make some extremely difficult decisions. Right now, I think we may have to come up with a whole series of budget cuts. This means saying no to funding requests from many worthwhile programs and agencies, even those that some of us personally favor.

"I, for one, don't relish this prospect. Probably none of us do. But, we must face up to our responsibilities.

"I know that in their efforts to seek a solution to the state's fiscal problems, there have been some suggestions made that the Legislature raise taxes. I, for one, do not see this happening. I do not foresee any major general or across-the-board tax bill this year. We may, however, consider some individual and specific tax and revenue bills but these will be taken up on their individual merits, not as a means toward balancing the state budget.

"No, I think it is clear that we in the Legislature will have to face the hard realities and address the problem of how to keep the state operating within increasingly limited means. During my tenure as Senate president, I have consistently taken the position that it is a fundamental duty of the Legislature to maintain the fiscal integrity of the state. And to give credit where it is due, I must acknowledge the strong role played by the executive in exercising fiscal responsibility, often in the face of very heavy pressures.

"Continuing on, what are some of the issues we will have to deal with during the ensuing weeks?

- We must continue our efforts against crime, to make Hawaii safe again for our people. We must review and strengthen our entire criminal justice system.
- We must work to strengthen our economy and create jobs for those seeking work. The continued decline of sugar and pineapple make it even more imperative that we develop economic alternatives.
- We must seek to wisely use our physical and natural resources - to utilize what we can and to protect what we should. It is

essential that we learn to balance Hawaii's economic, environmental and social needs.

- We must do what we can to meet Hawaii's human needs - in education, in social programs, in the cultural area, in human services, in health. This will be difficult, given the tight fiscal constraints but we must act with compassion and aloha.

"Speaking personally now and just in passing, I see where there is growing public open-mindedness toward two bills that I've supported over the years - the hotel room tax which I believe can be a powerful tool to give our visitor industry the solid financial resources it needs and the state-operated lottery which I feel can help fund programs for our senior citizens. I am hopeful that these two bills will receive full and fair consideration during the legislative session.

"I have not attempted to present to you a comprehensive legislative program at this time. The Senate Majority Program - which is being developed - will tackle in specific detail the issues we intend to address and the goals we intend to pursue.

"Continuing on a positive note, I am pleased to report that I sense a stronger mood of cooperation and amity around the capitol this year. Among the Democrats in the Senate, I believe the factionalism which has divided us in the past has been replaced by a spirit of trying to work together. I look forward to nurturing this spirit in the days and weeks ahead.

"With respect to my Republican friends in the minority, I have enjoyed working together with you in the past and, as you now reassume the traditional role of the loyal opposition, I am confident you will do so in a constructive and positive manner.

"I must also say that I sense a greater spirit of cooperation in our relations with our colleagues in the House. The fact that the Senate and the House were able to work out operational details such as the legislative timetable prior to opening day and the efforts by the leadership on both sides to maintain closer liaison and communication are very encouraging signs for a smooth session.

"Let me also say that I look forward

to more cooperative relations with the other two branches of State Government - the executive and the judiciary. We need to work together if we are to effectively address the problems and issues confronting the state. I also say this for our dealings with the respective county governments, with business and labor groups, with all segments of our community.

"I want to emphasize the importance of all of us working together. That, perhaps, is the theme of what I'm trying to say. If we are to effectively address the issues and problems facing Hawaii, we must do so together.

"I fully recognize the fact that during the session there will be differences of opinion on various issues. I expect that. It's an integral part of the legislative process - the converging and contending of different groups and interests. In recent years, I've taken some pride in the fact of the Senate being an independent-minded body. I am committed to keeping the Senate independent. But being independent does not mean that we can't work together with one another as well as with others.

"Our work is cut out for us.

"I call on all members of the Senate to give their best effort. I look forward to the challenge of the days ahead.

"Let us now begin the work and business for the people of Hawaii.

"Thank you very much."

Senator Henderson then responded as follows:

"Distinguished guests, Mr. President, fellow Senators, ladies and gentlemen.

"Four years ago, Mr. President, you introduced an important new theme to the conduct of business in our State Senate -- the concept of 'new politics.'

"I am glad to note for the record that this commitment to 'new politics' has been implemented more than fairly. Majority and minority members of the Senate alike have had the opportunity to participate equally in writing the laws needed to make Hawaii a better place. More importantly, this has meant real benefits for the public in terms of the

quality of legislation reviewed and passed in recent years.

"I want to stress how important it is that the spirit of 'new politics' remain in effect for the 1983 Legislative Session. While we are currently modest in number, the Senate Republicans remain in a strong position to promote the public's interest.

"Collectively, Mr. President, we Republicans represent over 60 years of legislative and other political experience, which we believe can be used constructively in the decision-making process of the Senate.

"Furthermore, Mr. President, as Republicans, we enjoy excellent ties with the current administration in Washington, which can be used to favorably influence Federal programs affecting Hawaii. Assistance to such vital sectors of our local economy as tourism, transportation, defense, and sugar deserve special mention at this time.

"Mr. President, Republicans can help in the Twelfth Legislature the most by being specific about solutions to the problems which are of the greatest public concern right now. From our detailed suggestions, legislation can be developed to:

- Create a positive business environment where management and labor alike can look forward to a prosperous economy and increased job opportunities for the 35,000 local people now seeking work. May I suggest that we pay special attention to nurturing Hawaii's number one growth industry, tourism, whenever possible. This is especially important in terms of promoting the Islands in our major overseas markets. One way or another, the necessary funds must be provided for this task. Special attention must also be directed to providing a source of funding which will be available on a continuing basis to keep Hawaii's visitor industry healthy.

- We must also radically improve Hawaii's business climate by wide-ranging tax reform, especially where our excise tax needlessly compounds business and consumer costs. We must eliminate government red tape, which, for example, a recent study indicated, adds 25% to the cost of housing in Hawaii.

Finally, the Legislature must listen very carefully to what local business people are telling us about unemployment insurance and the negative impact of current state policies in its worker's compensation programs.

- Hawaii's public school system deserves serious attention this session, especially at the intermediate and high school levels. A first step is to return to the wise practice of an appointed school board to manage general policy. At the same time, we will want to place far more authority in the hands of individual district and local schools when it comes to concerns of parents. Quality teaching, stricter discipline, and control of drug and alcohol abuse are all critical issues in this regard.
- We must maintain equilibrium in the state's finances by reviewing the budget line by line and eliminating every ounce of fat. We should let the sun set on all outdated superfluous boards and commissions. Excessive layers of administrative personnel can be weeded out by offering state employees the opportunity for early retirement, similar to highly successful programs in the private sector. Our special concern here is the Department of Education and the University of Hawaii. In addition, every effort must be made to curb abuse of the state's welfare system, where the State Attorney General estimates up to 30% of the present cases involve some form of intentional fraud.
- We must also restore public confidence in Hawaii's criminal justice system. We want to look at legislation that improves the selection process and that gives every voter a chance to evaluate the performance of Hawaii's judges by way of a public review early in their term of office.

"With these specific proposals and others, Mr. President, the Senate Republicans will work to assure that the two-party system here in Hawaii will continue to benefit every citizen of our state.

"Mr. President, we look forward to the opportunities that the Senate Minority will have this session to make the Twelfth Legislature the most effective ever in terms of responding to the public's need. We look

forward to working with you as full and equal colleagues.

"Thank you."

The President announced that nominations were in order for the office of Vice-President of the Senate.

Senator Abercrombie then placed in nomination the name of Senator Duke T. Kawasaki, seconded by Senator George.

Senator Cayetano moved that the nominations be closed, seconded by Senator Hagino. The motion to close the nominations was put by the Chair and carried unanimously, and the Temporary Clerk was directed to cast a unanimous ballot for Senator Kawasaki as Vice-President of the Senate.

The ballot having been so cast, Senator Kawasaki was declared unanimously elected as Vice-President of the Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983.

At 11:07 o'clock a.m. the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:32 o'clock a.m.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 2 and 3) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 2), pertaining to the election of officers of the Senate was offered by Senators Kuroda and Henderson.

On motion by Senator Kuroda, seconded by Senator Henderson and carried, S.R. No. 2 was adopted.

The President then administered the oath of office to the newly elected officers of the Senate: T. David Woo, Jr., Clerk; Richard K. Perkins, Assistant Clerk; and Bienvenido C. Villaflor, Sergeant-at-Arms.

A resolution (S.R. No. 3), informing the Governor and the House of Representatives that the Senate is organized and ready to transact business, was offered by Senators Cobb and Soares.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 3 was adopted.

The President then extended appreciation and thanks to Zoulu, Clay and Al Naluai of the Surfers, Ikona from the "Big Island," and Blah Pahinui for their performances this morning.

ADJOURNMENT

At 11:35 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, January 20, 1983.

SECOND DAY

Thursday, January 20, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Dr. W. C. Garland, Pastor, First Southern Baptist Church of Pearl Harbor, after which the Roll was called showing all Senators present with the exception of Senator Machida who was excused.

The Chair announced that he had read and approved the Journal of the First Day.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 1) transmitting House

Concurrent Resolution No. 1, which was adopted by the House of Representatives on January 19, 1983, was read by the Clerk and was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION," was adopted.

ADJOURNMENT

At 11:40 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, January 21, 1983.

THIRD DAY

Friday, January 21, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by the Reverend Nathan Mamo, Pastor, St. John Vianney Church, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Second Day.

The following introductions were then made to the members of the Senate:

Senator Solomon introduced the Hawaii State Teachers Association (HSTA) delegation from the Big Island, Geraldine Giffin of Kamuela and Masue Ando of Hilo, who were accompanied by Elaine Hara and Laverne Moore, Oahu members.

Senator Cobb then introduced the Honorable John Johnson, president of the Legislative Council of New South Wales, Australia, and Mrs. (Pauline) Johnson. Senator Young, on behalf of the Senate, presented a lei to Mr. Johnson.

At 11:40 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:42 o'clock a.m.

At this time, the Chair invited Mr. Johnson to the rostrum to address the Senate.

The Honorable John Johnson addressed the members of the body as follows:

"Thank you very much for your very kind and warm welcome, Mr. President and honorable Senators.

"As you know, I come from Australia and the state that I represent is the largest of the states. We have some 15 million people. We have a climate much the same as your own in the majority of our continent. We are one people, with one language, occupying one island continent. We're rather unique.

"Mr. President, I would trust that the deliberations of your honorable

Senate will be to the advancement of the glory of God and the advancement of your people in the future. Thank you very much."

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 1 to 26) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 1) transmitting a report prepared by the Department of Social Services and Housing, assisted by the University of Hawaii, School of Public Health, October 1982, in partial response to House Resolution No. 290 (1982), requesting a study of statewide child care resource and referral system and child care training component for providers and families, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 2) transmitting the Statement of Special Purpose Revenue Bonds, Issued and Outstanding and Authorized but Unissued as of July 1, 1982, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 3) transmitting a report prepared by the Hawaii Housing Authority, dated October 22, 1982, in response to House Resolution No. 169 (1982), requesting the University of Hawaii and the Hawaii Housing Authority to offer their expertise on the after-hours gerontology program for elderly housing projects to the neighbor isles to enable their emulation of the successful Oahu model in the counties of Kauai, Maui, and Hawaii, was referred to the Committee on Housing and Urban Development.

A message from the Governor (Gov. Msg. No. 4) transmitting a report prepared by the State Intake Service Centers, Department of Social Services and Housing, Report No. 83-002, January 1983, in response to House Resolution No. 64 (1982), requesting the development of proposed bail reform legislation, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 5) transmitting the 1981-1982 Annual Report, prepared by the Hawaii Public Employment

Relations Board in accordance with Section 89-5, HRS, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 6) transmitting various reports, all dated November 1982, prepared by the University of Hawaii, in response to the following respective resolutions and bills was placed on file, and:

1. A preliminary report, on Senate Resolution No. 39 (1982), requesting the University of Hawaii to monitor federal financial aid cutbacks and to assess impact on state financial aid programs; and

2. A report, on Senate Resolution No. 64 (1982), requesting the University of Hawaii to explore alternative means of assuring continuance of summer sessions at the community colleges;

were referred to the Committee on Higher Education.

3. A report on Senate Resolution No. 72 (1982), requesting the adoption of electric cars for state and county vehicles, was referred to the Committee on Government Operations and County Relations.

4. A report on House Resolution No. 195 (1982), requesting a study of educational opportunities for veterans of the Vietnam conflict (status report attached);

5. A report on House Resolution No. 311 (1982), requesting the Board of Regents of the University of Hawaii to prepare a proposal to strengthen skills and competency of all prospective teachers in dealing more effectively with students with behavioral and attitudinal problems;

6. A report on House Bill No. 1 (1981 Appropriations Act, Part III, Section 57), directing the Office of Research Administration to report on utilization of natural energy development funds;

7. A report on House Bill No. 2070 (1982 Supplemental Appropriations Act), Part III, Section 60A, on the nursing training program; and

8. A report on Senate Bill No. 1720 (1982), directing the University of Hawaii to prepare an Annual Report on the status of research and training revolving fund, including a breakdown on travel expenses;

were referred to the Committee on

Higher Education.

A message from the Governor (Gov. Msg. No. 7) transmitting various reports prepared by the Department of Taxation, in response to the following respective resolutions:

1. A report on Senate Resolution No. 47 (1982), requesting the Department of Taxation to determine the impact on professional and state tax collections of shares in a professional corporation to be transferred into a revocable living trust; and

2. A report on House Resolution No. 303 (1982), requesting the Department of Taxation to study the feasibility of amending Hawaii's income tax laws to allow single heads of households with dependent persons to claim the same standard deduction as married couples with dependents filing jointly;

was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 8) transmitting the Annual Report, 1981-82, of the Teacher Education Coordinating Committee, pursuant to Section 304-20, HRS, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 9) transmitting copies of the State Functional Plans (12) (dated October 1982), in accordance with Section 226-58, HRS, as amended, together with accompanying Technical Reference Documents and reports of the State Functional Plan Advisory Committee, as follows:

1. The State Energy Plan, prepared by the Department of Planning and Economic Development, was referred to the Committee on Economic Development;

2. The State Transportation Plan, prepared by the Department of Transportation, was referred to the Committee on Transportation;

3. The State Water Resources Development Plan, prepared by the Department of Land and Natural Resources, was referred to the Committee on Economic Development;

4. The State Historic Preservation Plan, prepared by the Department of Land and Natural Resources, was referred to the Committee on Ecology, Environment and Recreation;

5. The State Recreation Plan, prepared by the Department of Land and Natural Resources, was referred to the Committee on Ecology, Environment and Recreation;

6. The State Health Plan, prepared by the Department of Health, was referred to the Committee on Health;

7. The State Education Plan, prepared by the Department of Education, was referred to the Committee on Education;

8. The State Housing Plan, prepared by the Hawaii Housing Authority, was referred to the Committee on Housing and Urban Development;

9. The State Conservation Lands Plan, prepared by the Department of Land and Natural Resources, was referred to the Committee on Ecology, Environment and Recreation;

10. The State Higher Education Plan, prepared by the University of Hawaii, was referred to the Committee on Higher Education;

11. The State Agriculture Plan, prepared by the Department of Agriculture, was referred to the Committee on Agriculture; and

12. The State Tourism Plan, prepared by the Department of Planning and Economic Development, was referred to the Committee on Tourism.

A message from the Governor (Gov. Msg. No. 10) transmitting a report prepared by the Insurance Division, Department of Commerce and Consumer Affairs, in response to Senate Concurrent Resolution No. 60 (1982), requesting a study on possible modifications of the optional coverage requirement of the Hawaii No-Fault Law, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 11) transmitting various reports prepared by the Department of Education, in response to the following respective resolutions and bills:

1. A report on House Bill No. 2070 (1982), evaluation of the Hawaiian Studies Program and a program design for the implementation and expansion of the Hawaiian Studies Program with emphasis on secondary schools;

2. A report on House Bill No. 2070 (1982), requesting the Board of Education to prepare a plan for reallocating special counselors to more appropriately reflect student enrollment and student needs including socio-economic, academic and personal adjustment factors;

3. A report on House Bill No. 2070 (1982), educational demonstration projects and supportive special programs;

4. A report on House Resolution No. 16 (1982), requesting public pre-school programs;

5. A report on House Resolution No. 159 (1982), requesting the Board of Education to study the feasibility of establishing a permanent cardiopulmonary resuscitation (CPR) program in the state public school system;

6. A report on House Resolution No. 210 (1982), requesting the Board of Education to prepare a report identifying all school facilities which require soundproofing in order to comply with the Department of Health's noise regulations;

7. A report on House Resolution No. 286 (1982), relating to personnel preparation for the handicapped and encouraging the continuation of a joint University of Hawaii/Department of Education in-service training program for Department of Education teachers, administrators and support personnel;

8. A report on House Resolution No. 325 (1982), requesting the Board of Education to review the compensation schedule for coaches;

9. A report on House Resolution No. 285 (1982), requesting the Board of Education to report on the status of the noise abatement program and how improvements could be implemented on a more timely basis;

10. A report on Senate Resolution No. 19 (1982), requesting the Department of Education to help alleviate noise problems at Waipahu Elementary School;

11. A report on Senate Resolution No. 41 and Senate Concurrent Resolution No. 29 (1982), requesting the Board of Education to review and make recommendations to correct possible pay differential inequities between 10- and 12- month education officers; and

12. A report on Senate Resolution No. 57 (1982), requesting the Board of Education to implement cardiopulmonary resuscitation (CPR) training in high schools;

was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 12) transmitting copies of a report prepared by the Highway Safety Council of the Motor Vehicle Safety Office, State Department of Transportation, entitled: "The Adequacy, Enforcement and Adjudication of Driving under the Influence of Alcohol Laws in Hawaii," November 19, 1982, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 13) transmitting the Annual Report for fiscal year 1982 of the Hawaii Paroling Authority, Department of Social Services and Housing, as mandated by HRS, 93-12, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 14) transmitting the Annual Report of the Insurance Commissioner, pursuant to Section 294-16, HRS, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 15) transmitting copies of the Report of the Insurance Commissioner of Hawaii, 1982, Summary of Insurance Business for the Year 1981, pursuant to Section 431-45, HRS, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 16) transmitting copies of a report prepared by the Department of Social Services and Housing, in response to Senate Resolution No. 78 (1982), requesting the Department of Social Services and Housing to plan a demonstration project which shall provide home care services to persons who are eligible for Medicaid benefits, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 17) transmitting copies of the Report of the Commission to Promote Uniform Legislation, 1982 Annual Report, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 18) transmitting various reports prepared by the Executive

Office on Aging, in response to the following:

1. House Resolution No. 298 (1982), requesting a study on the feasibility of modifying the Medical Assistance Program to make eligible elderly persons who meet the medical assistance income standard but who do not meet the present resource standard because they own their homes, December 1982; and

2. Section 39A, Act 264-82, SLH, a progress report on the implementation of the small group homes program on the counties of Kauai, Maui and Hawaii, December 1982;

was referred to the Committee on Youth and Elderly Affairs.

A message from the Governor (Gov. Msg. No. 19) transmitting the Annual Report (Fifth Year) for Fiscal Year 1981-1982, prepared by the Hawaii Community Development Authority, was referred to the Committee on Housing and Urban Development.

A message from the Governor (Gov. Msg. No. 20) transmitting copies of the Program Structure and the Variance Report for Fiscal Years 1982 and 1983, pursuant to Section 37-75, Budget-Variance Report, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 21) submitting the findings and results of the review and the update of the "Instructions for the Interpretation of the Series and Class Specifications for the Secretary Series and Private Secretary Series," in compliance with the provisions of House Resolution No. 223 (1982), was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 22) transmitting the Annual Report of the Hawaii Public Broadcasting Authority for the fiscal year ending June 30, 1982, in compliance with the provisions of Chapter 314-12, HRS, was referred to the Committee on Culture and the Arts.

A message from the Governor (Gov. Msg. No. 23) transmitting copies of a report prepared by the Department of Social Services and Housing, December 1982, in response to Senate Resolution No. 66 (1982), requesting the Department of Social Services and Housing with the Department of Health, to develop a plan to amend the state's Medicaid program to

include waivers for home and community-based services, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 24) transmitting copies of the Response of the Governor's Agriculture Coordinating Committee, January 1983, in response to Senate Resolution No. 44 (1982), encouraging the development of and requesting a study of private development of agricultural parks, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 25) transmitting copies of the Response of the Governor's Agriculture Coordinating Committee, January 1983, in response to Senate Resolution No. 58 (1982), urging landowners of the Pearl Harbor area to support wetland agriculture, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 26) transmitting the Annual Report of the Hawaii Housing Authority for the period July 1, 1981 to June 30, 1982, was referred to the Committee on Housing and Urban Development.

Senator Fernandes Salling then rose on a point of personal privilege and stated as follows:

"Mr. President, Kauai presents its aloha through the buttons you have seen with the message, 'Kauai Loves You.' On your desks is a token of the aloha I personally extend to you with one of Kauai's finest products for you to enjoy - 'Kulolo.' Thank you."

Senator Abercrombie also rose on a point of personal privilege and stated as follows:

"Mr. President, on the desks of the honorable Senators are copies of two articles that I was fortunate enough to be able to obtain when I was on the mainland recently.

"The first is a transcript of Governor Mario Cuomo's address at the Empire State Plaza in Albany on the occasion of his inauguration on New Year's Day of this year. Accompanying it is a critique of that speech, that inaugural address, by a well-known political columnist, Mr. James Reston of the New York Times, a column entitled, 'A Different Voice.'

"I commend Governor Cuomo's address to the attention of the

Senators and Mr. Reston's commentary on it for the reason that I believe, Mr. President, it is one of the most inspiring speeches; one of the most transient analysis of our current day political problems that I have witnessed.

"It was a very interesting and enlightening experience, Mr. President, to be in New York at the time of Governor Cuomo's inauguration because of the inspiration that took place all across that state. The commentary that took place in conversation ... people feeling for the first time in a long time that someone in high office was saying something positive about what the role of government was. What the individual, in this instance Governor Cuomo, intended to accomplish and what his philosophical basis was.

"It's a great disappointment to me to return to Hawaii and hear so many, people in government especially, speaking of our own people as if they were obstacles to be overcome, as if we have to punish our own people.

"I did not join the Democratic Party, I assure you, nor did I campaign in the last election on the basis that my first act or acts that I would participate in upon rejoining the Legislature would be to see what I could do to punish our own people for putting me in office.

"And I hope that the Senators will take the time, as we approach our own state-of-the-state address and our own budgetary process for the next two years, take the time to read what Governor Cuomo has to say because I think it helps set a tone and direction that we could all well follow.

"I would just like to quote a very short paragraph from his speech: 'Those who made our history taught us above all things the idea of family, mutuality, the sharing of benefits and burdens fairly for the good of all. There's an ideal essential to our success and no family that favored its strong children or that in the name of evenhandedness failed to help its vulnerable ones would be worthy of the name. And no state or nation that chooses to ignore its troubled regions and people, while watching others thrive, can call itself justified.'

"I think that the sentiments expressed there and in the rest of his speech exemplify the kind of

approach and philosophy, ideology if you will, that I think is in the best sense not only of the Democratic Party but of everyone who cares to see that public service is indeed that. Public service to all our people!

"Thank you."

Senator Soares then responded as follows:

"Mr. President, just glancing over 'A Different Voice' by James Reston, I thank my colleague for the article. I'd like to reflect on a couple of comments here.

"First, Governor Cuomo's first act was not partisan. He appointed an appellate judge from the opposite party to the New York Court of Appeals as a symbol of his philosophy, and I buy that. He then says that the guess here is that not only does it make good sense but

good politics; Governor Cuomo didn't get to be Governor of New York by being nice to the Republicans.

"Mr. President, I think we have, with our leader's speech on opening day, indicated that we here are of a different vintage. We work very well together, and your Republican minority in the Senate certainly intends to not be caught in any kind of partisan battle, but to be a productive group and I want to make sure that we remind my colleagues that we would like to be considered as partners where we work well together the whole session."

ADJOURNMENT

At 11:51 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 10:00 o'clock a.m., Monday, January 24, 1983.

FOURTH DAY

Monday, January 24, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, was convened at 10:00 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Miss Joan Bishop, member of the First Church of Christ Scientist in Honolulu, after which the Roll was called showing all members present.

The Chair announced that he had read and approved the Journal of the Third Day.

At this time, Senator Soares rose and stated:

"Mr. President, I rise on a point of personal privilege.

"I'd like to make note of a copy of a Forbes article that was referred to by...the article by Kit Smith in The Honolulu Advertiser on January 22nd, and in keeping with Senator Abercrombie's and my plans for the year to keep our Senators well informed on things that raise our eyebrows and cause us to do a little homework, I placed on all the desks of my colleagues a copy of the Forbes article, 'East of Eden,' for review.

"I have not read it myself, but I thought I would share it with everyone else.

"Thank you."

The Chair then stated:

"Mr. Minority Leader, I would ask that you and all the members of the Senate listen to the Governor's Message today. Perhaps he may help to alleviate some of the concerns you might have."

Senator Soares then responded:

"I have brought my hearing aid, Mr. President. Thank you."

At 10:15 o'clock a.m., the Senate stood in recess subject to the call of the Chair to meet in joint session with the House of Representatives in accordance with House Concurrent Resolution No. 1.

JOINT SESSION

The Joint Session of the Senate and the House of Representatives was called to order at 10:30 o'clock a.m.,

by the Honorable Henry H. Peters, Speaker of the House of Representatives.

At this time, the Speaker introduced to the members of the Joint Session the First Lady of Hawaii, Mrs. Jean Ariyoshi; Lieutenant Governor John Waihee and Acting Chief Justice Herman Lum.

The Speaker then introduced the Dean of the Consular Corps in Hawaii, Consul General Chong Hoon Kim of Korea, and other members of the Consular Corps.

The Speaker also welcomed the various department heads and military dignitaries in attendance.

The Speaker then appointed the Committee from the Senate, composed of Senators Kuroda and Henderson, and the Committee from the House, composed of Representatives Blair, Segawa, Stanley, Rohlfing, and Marumoto to escort the Honorable George R. Ariyoshi, Governor of the State of Hawaii to the Rostrum.

Representative Stanley presented Governor Ariyoshi with a white carnation lei on behalf of the Senate and the House of Representatives.

The Speaker presented to the members of the Twelfth Legislature, the Honorable George R. Ariyoshi, stating:

"Ladies and Gentlemen of the State of Hawaii, please join me in extending our very best aloha and welcome to the Governor of this great State of ours, the Honorable George R. Ariyoshi."

The Governor addressed the Joint Session as follows:

"Mr. President, Mr. Speaker, Members of the Legislature, and My Fellow Citizens:

"Today, as a new year begins, as the new Legislature comes into being, as we feel a sense of renewal, it is useful for us to pause and take a look at the past -- and also to focus on the future. We have come here this morning to 'take stock' -- to find out where we stand.

"The members of the Legislature have invited me to come to this rostrum, and I begin by thanking you

for that invitation. This is more than a ceremonial 'thank you,' for I regard the next several minutes as valuable time, indeed.

"This is also an opportunity for the people of Hawaii, as they look in on television, to find all of us in the same room -- but not having an argument.

"The news media report frequently on the issues and philosophies that divide us, and cause us to argue. But though the executive branch and the legislative branch of your state government may be adversaries from time to time, we are not enemies. And the underlying purpose we all share is exactly the same.

"We are all looking for 'the best Hawaii.' And since none of us has all the wisdom or all the power to find it immediately, we talk, and we clash, and then we vote.

"Thomas Jefferson said that 'democracy begins in conversation.' And I want to assure you that our democracy here in Hawaii, though it may occasionally flare up on the surface like Kilauea, is -- down underneath -- solid as a rock.

"When I speak to you of my concerns about Hawaii this morning, let me assure you that I do so within a framework of confidence and hope. We have some big problems, but none of them are beyond our capacity to solve. All we must do is remain imaginative...and energetic...and fair to everyone.

"A State of the State speech usually goes into great detail about the achievements of the past year, but I am going to change that pattern this morning. We have just come through an election year, and in a long political campaign, the achievements of an administration get a lot more than just passing attention! So let me state them more briefly today, and let me say that I will not be covering in detail the issues of Housing, Education, or Health and Human Services, nor will I talk at length about my administration's proposals to continue our war against crime, although crime is still a matter of great concern to me. Not because these areas are unimportant, but simply because their details will be reflected in the budget and other bills that will be coming down to you soon.

"Let's look at what we've done:

"Together, we have developed a splendid public education system and university system.

"Together, we have established a substantial level of support for the needy people of our community -- support that ranks with the nation's best.

"Together, we have provided an improved measure of opportunity for all of our people.

"Together, we have made progress in finding the best ways to use our precious land.

"And together, over the past few years, we have worked together to improve our criminal justice system...

...to support the development of alternate energy technologies...

...to help Hawaii become an international center of research in astronomy, ocean science, tropical agriculture, aquaculture, human services, and many other areas of study...

...to support an intelligent diversification of our economy, whose growth has provided nearly 90,000 new jobs since 1973 for our citizens...

...and to maintain a sound fiscal program that provides a reliable level of government services.

"Having achieved this level of government, we must now work to maintain it. Even though we are moving into a time of falling revenues and fiscal austerity, I want you to know that I am dedicated to the continuity of these achievements. We must preserve them, for they are the very essence of our progress.

"We must strengthen our state health system's ability to provide essential services to our community in the areas of care and prevention. We must improve our school system and our University, searching for both efficiency of operation and academic excellence.

"We must continue to evaluate our human services programs, so that we get the most out of them for our needy citizens. This is a time of truly painful cutbacks in the aid that they've been getting over several years from the federal government.

"We must persevere in the development of alternate energy

sources -- ocean, geothermal, solar, wind and biomass. And, in this area, we have become a model for our nation and for the world.

"Let us not be misled by the fact that oil prices are coming down today. In the past decade, they have gone from \$3.60 a barrel to as high as \$40 a barrel, and they are now down to \$32 a barrel. This recent decline in price is good for all consumers, but it could be a short-lived benefit.

"We cannot depend on prices continuing to fall, even though Alaskan and Mexican crude oils are now part of the world supply, and even though China is planning to come on stream. The price of oil remains as volatile and as unpredictable as ever. It depends on too many factors that are beyond our control.

"So let us continue to cultivate our own energy garden. In the long run, no matter what happens, the fossil fuels of the earth are going to run out -- and they may run out sooner than we think. For the population of the earth is going to increase from 4.2 billion people today to over 6 billion by the turn of the century. It will become increasingly important that we turn to the renewable resources available to us.

"The State of Hawaii is in a position of natural leadership here. The fact is that we have an obligation to continue -- an obligation to ourselves, and to millions of people who live thousands of miles from our islands. Today, we can make the transition from successful experimental and demonstration technologies to successful commercial technologies that can go right 'on line.' Let us keep going.

"The larger fact is that we have got to energize our economic base across the whole spectrum of economic activity.

"Though we cannot control the final developments, we are committed to stand firmly behind those historic island enterprises, pineapple and sugar. These enterprises have experienced shattering difficulties in recent years, yet they continue to add significantly to the Gross State Product.

"Our largest industry, the visitor industry, is of great importance to Hawaii both now and for the future. We must be sure to provide whatever

support is necessary to keep that industry as an asset to our community.

"We must also enhance the opportunities for made-in-Hawaii products in both the manufacturing and food industries.

"We must facilitate the growth of film and TV industries.

"And we must continue to diversify our agricultural industry. Ten years ago, diversified agriculture was not the major industry it is today. The public and private sectors -- through hard work and imagination -- have created a major export industry out of papaya and guava and macadamia nuts, flowers and plants and foliages! Diversified agriculture is not a small industry anymore. The 1981 gross income from diversified agriculture, which also includes dairies and livestock, was \$192 million -- almost as much as pineapple brought in 1981!

"Let me focus for a moment on aquaculture -- another unique industry that we have brought into being. Aquaculture is growing, but not growing as rapidly as it can. In fact, some aquaculture operations have stopped because of inadequate management practices, lack of well-trained workers and in some instances, poor financing.

"How can the state help? I believe that it's time for a more comprehensive approach, a more business-oriented approach. If we can develop a systems-oriented management organization, an organization that can take into account the many diverse factors involved in this new and unfamiliar industry -- the economic, technical, financial, social, educational and political considerations -- then we will be on the right track. To handle this assignment, I will shortly appoint an ad hoc Aquaculture Industry Development Committee. Their agenda will be to come up with an Industry Development Plan that uses a systems approach. When that plan becomes a reality, and its recommendations implemented, then aquaculture will have a better chance to survive and grow, for the Plan will coordinate the activities of all Hawaiian resources in this complex field -- from basic research all the way to 'hands on' growing and marketing.

"Yes...we must persevere in 1983. And we must also make some plans that look realistically at our state's

income and at our state's tax policies. In both of these important areas, today is a good time for a clear reassessment.

"In this period of economic trouble, we have been a lot more fortunate than most other states. All across the nation, states have been increasing taxes, cutting services, and curtailing vital programs. Though Hawaii's position is basically stable, though our unemployment rate has fallen to 7%, there are some dangers ahead to which I must alert you.

"In the past six months, there has been a drastic downturn in the growth of our state government revenues. While we had anticipated an increase in our revenues this fiscal year of 17.6%, it is now predicted, seven months into the current year, that the increase in revenues will be only 8.2%. We have known for many years, though, that state government revenues can fluctuate, and in the good years we have been careful not to spend everything that has come in. We have sometimes been criticized for not spending our surpluses, but we have carried over those surpluses for just this type of situation, and the money we have carried over is serving us well now.

"I would like us to respond by tightening our belts, by holding the line on taxes, by restricting our spending whenever we can. But at the same time, I do not want Hawaii to stand still. If we spend and plan with good common sense, there will be no emergency, and there will be no state deficit -- and we shall remain one of the few states in the union in a strong fiscal position.

"While tough times may lie ahead, let us not retreat. Let us accept this challenge with goodwill. Let us use the adversity to bring out the best in all of us. Let us pass through this challenging period in a constructive way -- and so create a better future. If we work together now we can begin to solve these problems even before they are upon us!

"Since our system of imposing state taxes has become increasingly complex and controversial, I am recommending the establishment of a Tax Review Commission. You may remember that two years ago, a group came together to study the tax situation, but money to continue their work was voted down by the Legislature before there were any conclusions that could be

put into action.

"The last time there was a comprehensive state tax review was in 1965, and the piecemeal patchwork developed as our tax program since then is in need of a thorough reassessment.

"One of the most important things the new commission will be asked to study is the efficiency and the equity of the tax and financing relationship between the state and the counties. The commission may find that it is time to reallocate where tax money comes from, where it goes, and exactly how it is spent in terms of services provided. The commission may look at the tax burden caused by property taxes relative to the burdens caused by other types of taxes, such as the income tax and the excise tax. It should also consider whether the tax structure creates disincentives in some of our activities, and whether that structure makes us less competitive than we should be in the world marketplace.

"It is important that the results of the Tax Review Commission's work be given wide publicity, because the fair imposition of taxes and the resolute collection of them are at the heart of a good democracy. And when this situation prevails, a people stand willingly behind their government -- even in bad times.

"Let me talk for a moment about another important reassessment that we must now make. The problem can be seen simply by asking a few questions.

"Does the State of Hawaii regulate business to the extent that businesses here find it hard to compete in the national or world economy because of that regulation?

"Are we somehow penalizing people in the private sector?

"Are we doing everything we can to help Hawaii develop new industries to provide economic growth in the future?

"If there are disincentives to doing business here, can we reduce them or find some incentives to offset them?

"The reassessment we must make deals with our attitude towards business in Hawaii. I have my own answers to those questions, but it is part of my job to ask others to think about those questions as well, and to share with the people of our state

some of the thoughts and ideas that come from that consideration.

"To help that consideration take place, I will be forming two groups of people from business, labor and the public sector.

"The first group will be asked to identify various alternatives for the development of our state's economy over the near and more distant future. They will be asked to put together a realistic list of economic activities that we can pursue to help Hawaii to meet the economic challenges we will face in the future.

"The second group that I will be putting together will be asked to deal with a related, but somewhat more complex issue. I will ask this group to address the question of, 'Are we an anti-business state, as some have contended? If so, what do we do to change that?' They will need to look at many different areas such as labor laws and the possibility of streamlining or centralizing our permit systems; our tax laws and government rules and regulations. They will be asked, if it seems necessary, to offer suggestions for legislation or changes in the policies of government and private enterprise.

"One thing I want to assure you about -- and I think many people already know it -- I am heartily in favor of a healthy, vibrant business community. As the head of a branch of the public sector of this state, I have never forgotten that the money for public change and development is basically generated by the private sector -- the business sector -- and comes to the state in the form of taxes on private enterprise. I understand that, and I think my record justifies that.

"But I also believe that government and business and labor, though they are usually portrayed as antagonistic, actually have a lot in common. Government and business and labor, for example, are searching for 'the best Hawaii' -- for only in the best Hawaii can they be at their best.

"And if you look at the citizens who get up in the morning to go to work and to buy food and clothes and pay off the mortgage, their aims are remarkably similar no matter where they work. Consider this:

"In government as in the private sector, we need a high level of directed energy.

"In government as in the private sector, we must make realistic plans for the future. Plans that stand a chance of working.

"In government as in the private sector, an important part of our task is persuading people that we are on a workable path.

"In government as in the private sector, we must be willing to persist.

"The problems cannot be solved overnight. They cannot even be identified overnight!

"And from this theme grows another idea: regardless of where we work or what our political beliefs are, we are all citizens before we are anything else.

"Like it or not, we have emerged into the modern world. Today our state possesses those two sure symbols of the modern world -- a great international airport...and great traffic jams!

"And today, we find that Waikiki and other parts of our City of Honolulu have been greatly developed, with densities and heights unthought of a generation ago.

"There are some aspects of that earlier and gentler Hawaii that we do miss, but I believe that, by and large, most of us would agree that the changes in Hawaii in the years since World War II have been substantial and desirable.

"The changes will continue, and we must manage them sensibly -- but there is one thing that I hope won't change. I touched on it in my Inaugural Address a few weeks ago.

"I hope that in the matter of how we treat each other, we can keep to the old Hawaiian ways. The flame of the Aloha Spirit sometimes flickers and grows dim, but it has never died. But we must remember that only we can keep it alive.

"The prominent social scientist, Daniel Yankelovitch, published a book not long ago on what he calls, 'the new rules in American life.' One of his findings is that after nearly two decades of a self-centered search for self-fulfillment, people are now returning to the idea of making a commitment. A commitment to another person, to a community, or simply to a set of values.

"Well, that's nothing new to us here

in Hawaii. From the very beginning, although we have been a diverse people, we have had a commitment to being 'one people,' and we have had considerable success. For the values of this society here in these islands are unique and rich.

"Those values are a blend of a sense of compassion, of 'live and let live,' with the more active sense of search and adaptation that has been brought here by thousands of individuals over the years. That blend is as good a basis for a civilization as any that I know. Please...let us resolve to hold fast to that old spirit. It is one of the most precious things that we possess.

"I see at this time a chance for the people of the coming generation -- your sons and daughters and mine -- to make a real difference in the unfolding events of the next 20 years, just as the people of our generation have done in the past two decades.

"The young people today will not be seeking, as we did, to cope with the trauma of a World War, nor will they have to outgrow the limitations of a 19th century plantation society. But they are faced with the task of finding economic success and fulfillment in a fast-moving, complex world. And they are faced with the challenge of meeting the rising expectations of people everywhere. I contend that a touch of the Aloha Spirit will help to see them through.

"Let us now swing the searchlight around for a look at the future. I wish to talk about our potential leadership in the New Pacific, and then I want to be specific -- about two programs that can help point us toward that leadership, not in the dim, distant future, but just as soon as we turn our minds to them and get them going.

"The economic and cultural development of our world has shifted from the Atlantic Basin to the Pacific Basin. This is a theme that you will continue to hear from me while I am Governor -- and perhaps even beyond! I regard it as the major economic and social development in our lives today, and, I am anxious that we take full advantage of it.

"Being here, the only American state in the midst of the Pacific, the only state entirely surrounded by the water that makes up 71% of our planet, we must realize that Hawaii has the chance and the need to lead

in this great oceanic development.

"In the years ahead, we can use our financial base, our educational base, our information base, our research and technical facilities, our market opportunities, and especially our understanding of the various cultures, to take the lead in dealings with the Pacific Ocean area. We have much to offer the people of the Pacific. And, they, in turn and in many ways, can enrich our lives.

"We are doing important, useful things in the Pacific Basin today. We have been able to help other Pacific Islanders by providing technical assistance in forestry and personnel management matters, by providing assistance in health services and medical training, by training airport firefighters, by sharing some of our knowledge about aquaculture, alternate energy, and tropical agriculture, by helping with the development of bilingual education programs, and by working with them on fishery, ocean resource, and tourism problems, and by offering opportunities for education at the vocational and university levels. We are also active participants in the Pacific Basin Development Council. This task, though, of playing a role in the New Pacific is as much a task for the people as it is for state government. You must see the opportunities. You must grasp them. You must act. But everything flows out of your being informed. Expanding our knowledge about the lands and people of the Pacific region will surely help us to begin thinking in constructive directions.

"It should also be noted that there are some individuals in Honolulu this very morning meeting at the East-West Center, who are living symbols of this idea of 'The New Pacific' in their own countries. They have come as leaders in the East-West Center's Pacific Island Conference, which promotes useful regional cooperation among the various Pacific Islands. Among those present are Prime Minister Ratu Sir Kamisese Mara of Fiji, Governor Peter Coleman of American Samoa, Prime Minister Michael Somare of Papua-New Guinea, and Premier Sir Thomas Davis of the Cook Islands. Just last week, the East-West Center Board of Governors met here to discuss the progress of the East-West Center in moving towards a greater role in the educational growth in our Pacific region.

"Our state was host, also, to the

Pacific Islands Area Seminar, where wide-ranging Pacific issues were discussed.

"And, also, last week, many important people from the Pacific attended the Pacific Telecommunications Conference here in Honolulu.

"We are at present developing a new program that fits handsomely into the idea of 'The New Pacific,' and I will be sending its legislative proposal to you in the near future. This is the background:

"Our world today is undergoing a revolution in electronic technology. Satellites for global communication...microelectronics for computers...robotics for industrial and ocean resources development...fiber optics and lasers for a multitude of uses in medicine and in industry...these and other marvels are here right now.

"Hawaii is perfectly situated and completely capable of leadership in high-technology research, development, and commercialization.

"Many of our people have been educated and trained for competence in science.

"The East-West Center and the University of Hawaii -- with their various schools and research organizations -- are both ready to play an important part.

"Leadership in high-tech can also be provided by our government and private sector agencies, by established companies, and by our many international outreach projects.

"Our special opportunity is to become the high-technology catalyst for 'The New Pacific!' Nations with the most advanced state-of-the-art technologies can come here, pool their knowledge and skills, and achieve their scientific and industrial goals. And right now, our people stand ready to help. The participating countries would benefit from our ideal location and infrastructure -- and we would benefit in many ways by having these activities in our islands.

"It is for these reasons that I will propose this year the establishment of a High Technology Development Corporation.

"I should also note that I have been communicating with the Japanese government about assisting Hawaii in the development of an institute for

high technology research and development. I am aggressively pursuing this and I will keep you informed about this progress.

"Our High Technology Development Corporation would have several jobs to do:

"It would be responsible for identifying available lands and for developing the financing, and the design of industrial park areas devoted entirely to high technology.

"It would be able to issue revenue bonds to raise funds.

"It would be able to plan for a spectrum of activity in the parks, including manufacturing and sales and teaching and research.

"It would carry through to commercialization what has been developed through research.

"It would work in harmony with independent, but related efforts in our counties.

"It would support public and private goals of increasing revenues, job opportunities, and profits.

"The High Technology Development Corporation would be similar in structure and action to our Aloha Tower Development Corporation, which is already proving its merit. And it would also be similar to the 'Silicon Valley' idea which has been so successful in the San Francisco area and in the Boston area. But our 'Silicon Valley' would also be linked to the activities of our highly successful Foreign Trade Zone, and this should be an additional incentive to locate here.

"I regard this as a clear-cut opportunity for all of us, and I hope you will look favorably upon this legislation when it reaches you.

"The second proposal that deals with our role in 'The New Pacific' relates to our ability to overcome barriers created by our island geography and the distance from other areas that accompanies that geography. Specifically, I refer to the improvement of our ability to move our goods in and out of Hawaii by air.

"The marketing process for goods manufactured or grown in Hawaii is hampered today by the fact that there is not enough cargo space on the

planes that travel to and from Hawaii that is reliable, frequently available, and not subject to interruptions in service.

"I ask that the Legislature consider the question of whether the state government can usefully step in to better organize, first, the transport of our products -- either through contract arrangements with airlines, or, if necessary and more cost-productive, by the state purchasing or leasing planes to move these products -- and second, the storage of these products at the other end.

"Let me add quickly that we do not envision cutting into the business or profitability of today's operating airlines in any way. It may be that we can solve this problem through working directly with them -- even though their emphasis has always been, and appropriately, the carrying of passengers rather than freight. We are simply looking for some innovative ways to meet the needs of our community.

"There is a third item that I will mention only briefly, since it is really not far enough along at this point to discuss in detail.

"It is a system now being studied and structured in which private citizens, using private vehicles and a micro-computer program, would schedule and provide public transportation -- in other words, individualized mass transit that could supplement our existing mass transit systems or other future systems.

"A willingness of the people to cooperate is at the heart of a proposal like this. And of course, there are very complex insurance and liability problems that need to be solved. At this point, it is appropriate for the Administration and the Legislature to look at this proposal with a candid, open mind, to receive public input, to study, debate and thereafter, to make whatever decision is deemed appropriate.

"And finally, though they have been much discussed in the past, let me remind you that the State Functional Plans -- all 12 of them -- are still to be legislated in the near future. And the near future, I hope!

"It has never been my style to spend time twisting arms to get something done. I believe that if you propose something, you must be

patient. You must wait until your colleagues see some value in it -- or reject it. Well, we have passed the underlying legislation, but we have not faced up to the difficulties of passing the Functional Plans. And I know that that is a much more difficult task, but if we really believe what we are saying about the State Plans, then I urge you to pass them. They will enable us to look ahead intelligently, and to plan properly. Then, we will find it easier to deal with every single item that has been discussed here this morning.

"The future can best be stated, I think, as an endless series of questions, for that is what the future is.

"But we are not helpless in the face of the future. We can address the questions because we know about the past.

"We can address them realistically, yet with a sense of imagination.

"We can address them factually, yet with a sense of intuition.

"And we must address them with zest, and not with anxiety or despair.

"For we are one state in a nation that is the world's greatest monument to change. A democratic government is always walking the fine line between what can be imagined and what is possible. And if human imagination does not stay out there in the lead, we will get nowhere.

"Carl Sandburg once wrote:

'What you must have first is the dream that you can do it. And then...you must begin.'

"So let us approach the year ahead with a sense of hope. The statistics point toward an economic recovery, though it may be a slow one. We can take heart from the statistics, but let us take heart too from Sandburg's idea of a dream of a better future.

"This is, as you know, the beginning of my last term as Governor. And I want to conclude these remarks with a pledge to the Legislature and to all the people of Hawaii that this is not going to be a caretaker administration, or a lame-duck administration, or an administration that has run out of steam. On the contrary, I am even now quite conscious of the amount of time left -- and I shall be working

hard, together with you all, against the deadline to get as much accomplished as I can. As I observed in the Inaugural Address, right down to the last day, I shall be trying my best to be a good governor.

"Though four years may seem to be a long time to some, to me, it is only a matter of 1,461 days. At the end of that time, I want you to know that though I will no longer be your Governor, I shall continue to search with you for the 'best Hawaii.'

"Like 'the more perfect Union' mentioned in the Constitution, it is difficult to define 'the best Hawaii,' and even more difficult to achieve it. But it is not hard at all to sense whether we are moving toward it as a goal -- or away from it. It is my hope, and belief, that we are moving toward it.

"Mahalo and Aloha."

Senate President Wong then rose and stated:

"Thank you very much, Governor, for sharing with us your dreams and aspirations for a 'best Hawaii.'

"In the ensuing days, we will look forward to specific legislation to carry out these dreams and aspirations.

"I think at this time it is apropos, Governor, to announce the birth of a baby girl to Senator Hagino and his beautiful wife Cindy, because after all, she will be the benefactor of the things we do today.

"Again, Governor, thank you very much for your words of wisdom and if there be no objection by the members of the Joint Session of the Legislature, I hereby declare this Joint Session adjourned."

At 11:20 o'clock a.m., the President declared the Joint Session with the House of Representatives adjourned.

The Senate reconvened at 11:25 o'clock a.m., with the President in the Chair.

ADJOURNMENT

At 11:27 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, January 25, 1983.

FIFTH DAY

Tuesday, January 25, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Dr. John T. Norris, Pastor, Waipahu United Church of Christ, after which the Roll was called showing all Senators present with the exception of Senator Kawasaki who was excused.

The Chair announced that he had read and approved the Journal of the Fourth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 27 to 48) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 27) transmitting the 1982 Annual Report of the Foreign-Trade Zone No. 9, October 1, 1981 - September 30, 1982, prepared by the Department of Planning and Economic Development, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 28) transmitting the 1982 Annual Report of the Office of Collective Bargaining, Office of the Governor, January 7, 1983, pursuant to Chapter 89, HRS, as amended, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 29) transmitting a report prepared by the Insurance Division of the Department of Commerce and Consumer Affairs, Department of Transportation, and the Oahu Metropolitan Planning Organization, November 1982, in response to Senate Resolution No. 5 (1982), requesting a study of impediments to ridesharing with regard to the cost, availability, and adequacy of motor vehicle insurance, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 30) transmitting a report prepared by the Department of the Attorney General, in response to Senate Resolution No. 8 (1982), requesting the development of proposed bail reform legislation, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 31) transmitting a report prepared by the University of Hawaii, November 1982, in response to House Bill No. 2070, 1982 Supplemental Appropriations Act, Section 62A, Accounting System Covering Electricity Costs, and Section 62B, Salary and Other Savings to Pay for Electricity Costs, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 32) transmitting the Fifteenth Annual Report (1982) of the Criminal Injuries Compensation Commission, pursuant to Chapter 351, HRS, as amended, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 33) transmitting a report, "Plan for Action, Implementation Strategies for Priority Recommendations Generated at the 1980 Governor's White House Conference on Aging and 1981 National White House Conference on Aging," prepared by the Hawaii State Executive Office on Aging, in cooperation with the County Area Agencies on Aging, was referred to the Committee on Youth and Elderly Affairs.

A message from the Governor (Gov. Msg. No. 34) transmitting a report, "The Elderly in Hawaii - A Data Digest of Persons 60 and Over," September 1982, prepared by the Executive Office on Aging, was referred to the Committee on Youth and Elderly Affairs.

A message from the Governor (Gov. Msg. No. 35) transmitting a report, "Evaluation of the Volunteer Friendly Visitor Program: The Concept of Friendship Is Relatable in Physiological Terms," June 1982, prepared by the Executive Office on Aging, was referred to the Committee on Youth and Elderly Affairs.

A message from the Governor (Gov. Msg. No. 36) transmitting a report of the "Compensation Plans for the State of Hawaii," July 1, 1982, prepared by the Department of Personnel Services, Classification and Compensation Review Division, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 37) transmitting the Annual Report, 1981-82, of the School Health Services Branch, Department of

Health, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 38) transmitting a report prepared by the Department of Health, in response to Act 201 (1982) on the Agent Orange Program, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 39) transmitting reports prepared by the Department of Transportation, December 1982, in response to the following respective resolutions adopted in 1982:

1. Senate Resolution No. 76, requesting the Department of Transportation to report to the Senate Committee on Transportation regarding merchandise delivery fees at Honolulu International Airport; and
2. House Resolution No. 186, requesting improvements to the Waiaka bridge and junction, Hawaii County;

was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 40) transmitting a report prepared by the Department of Transportation, December 1982, in response to Senate Resolution No. 97 (1982), requesting the Department of Transportation to study federal and state regulations relating to tinted motor vehicle glazing material, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 41) transmitting the Annual Evaluation Report on the Driver Education and Training Program, November 1982, prepared by the Department of Transportation, in response to House Resolution No. 274 (1971), was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 42) transmitting a report prepared by the Department of Transportation, November 1982, in response to Senate Resolution No. 131 (1982), requesting the state and the county of Hawaii to continue discussions regarding the Saddle Road, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 43) transmitting a report prepared by the Department of Transportation, January 1983, in response to House Resolution No. 206

(1982), commending the efforts of the Department of Transportation, the Department of Accounting and General Services, and the Department of Education on their program of independent random safety inspections of school buses, and requesting continued monitoring, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 44) transmitting a report prepared by the Department of Transportation, January 10, 1983, in response to Senate Resolution No. 82 (1982), requesting the state Department of Transportation to conduct a study of the recreational boating program, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 45) transmitting the 1981 Annual Report of the State Energy Resources Coordinator, prepared by the Department of Planning and Economic Development, in compliance with Section 196-4(11), HRS, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 46) transmitting the 1982 Annual Report of the Research Corporation of the University of Hawaii, mandated by Section 307-6, HRS, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 47) transmitting the Annual Financial Report of the State of Hawaii, Fiscal Year Ended June 30, 1982, prepared by the Comptroller, in response to Section 40-5, HRS, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 48) transmitting reports prepared by H. Mogi Planning and Research, Inc. under contract with the Department of Agriculture, November 1982, in response to the following respective resolutions adopted in 1982:

1. Senate Resolution No. 45, requesting a review of state and county land use and zoning laws and rules which impede the development of agriculture; and
2. House Resolution No. 235, requesting the preservation of watercress farmlands on Oahu;

was referred to the Committee on Agriculture.

DEPARTMENTAL COMMUNICATIONS

The following communications and publications (Dept. Com. Nos. 1 to 17) were read by the Clerk and were disposed of as follows:

A publication, entitled: "Hawaii Construction Model Further Developments," (Dept. Com. No. 1), prepared by the Department of Planning and Economic Development, 1982, was referred to the Committee on Housing and Urban Development.

A publication, entitled: "Hawaii Economic Research Reports," (Dept. Com. No. 2), Quarterly Statistical and Economic Report, Fourth Quarter 1982, prepared by the Research and Economic Analysis Division, Department of Planning and Economic Development, was referred to the Committee on Economic Development.

A communication from the University of Hawaii, John A. Burns School of Medicine, (Dept. Com. No. 3) transmitting copies of a new publication, "A Modest Miracle in the Pacific," was referred to the Committee on Higher Education.

A communication from the Department of Budget and Finance (Dept. Com. No. 4), dated November 29, 1982, transmitting certified statements and supporting schedules on the debt limit and total outstanding indebtedness of the State of Hawaii as of July 1, 1982, was referred to the Committee on Ways and Means.

A communication from the Department of Budget and Finance (Dept. Com. No. 5), dated December 8, 1982, transmitting the "Plan of Organization of the Executive Branch of the Hawaii State Government," Sixth Revised Edition, December 1982, was referred to the Committee on Ways and Means.

A publication, entitled: "The Economy of Hawaii 1982," (Dept. Com. No. 6), Annual Economic Report and Outlook with Forecasts for 1983 and 1984, prepared by the Department of Planning and Economic Development, was referred to the Committee on Economic Development.

A communication from the Department of Planning and Economic Development (Dept. Com. No. 7), dated December 16, 1982, transmitting copies of the Findings and Recommendations (dated December 13, 1982) of the State Plan Policy Council on the following twelve State

Functional Plans:

1. State Agriculture Plan, referred to the Committee on Agriculture;
2. State Conservation Lands Plan, referred to the Committee on Ecology, Environment and Recreation;
3. State Education Plan, referred to the Committee on Education;
4. State Energy Plan, referred to the Committee on Economic Development;
5. State Health Plan, referred to the Committee on Health;
6. State Higher Education Plan, referred to the Committee on Higher Education;
7. State Historic Preservation Plan, referred to the Committee on Ecology, Environment and Recreation;
8. State Housing Plan, referred to the Committee on Housing and Urban Development;
9. State Recreation Plan, referred to the Committee on Ecology, Environment and Recreation;
10. State Tourism Plan, referred to the Committee on Tourism;
11. State Transportation Plan, referred to the Committee on Transportation; and
12. State Water Resources Development Plan, referred to the Committee on Economic Development.

A communication from the Supreme Court of Hawaii (Dept. Com. No. 8), dated December 29, 1982, transmitting copies of "The Multi-Year Program and Financial Plan (1983-1989); Budget (1983-1985); and Variance Report (1981-1983)", dated December 1982, in compliance with Sections 601-2 and 37-92, HRS, was referred to the Committee on Judiciary.

A communication from the Office of the Auditor (Dept. Com. No. 9), dated January 3, 1983, transmitting copies of reports, entitled: "Sunset Evaluation Report, Elevator Mechanics, Chapter 448H, Hawaii Revised Statutes," Report No. 83-1, January 1983, and "Sunset Evaluation Report, Electricians and Plumbers, Chapter 448E, Hawaii Revised Statutes," Report No. 83-2, January 1983, was referred to the Committee

on Consumer Protection and Commerce.

A communication from the Department of Labor and Industrial Relations (Dept. Com. No. 10), dated December 29, 1982, transmitting copies of "A Study of Displaced Sugar Workers Focuses on Puna Sugar Company, Ltd.," December 1982, conducted at the urging of the 1981 State Legislature, was referred to the Committee on Human Resources.

A communication from the Office of the Auditor (Dept. Com. No. 11), dated January 5, 1983, transmitting copies of "Sunset Evaluation Report, Contractors, Chapter 444, Hawaii Revised Statutes," Report No. 83-3, January 1983, was referred to the Committee on Consumer Protection and Commerce.

A communication from the Office of the Auditor (Dept. Com. No. 12), dated January 7, 1983, transmitting copies of "Status Report, Grants, Subsidies, and Purchases of Service, Chapter 42, Hawaii Revised Statutes," Report No. 83-4, January 1983, was referred to the Committee on Government Operations and County Relations.

A communication from the Office of the Auditor (Dept. Com. No. 13), dated January 10, 1983, transmitting copies of "Sunset Evaluation Report, Professional Engineers, Architects, Surveyors and Landscape Architects, Chapter 464, Hawaii Revised Statutes," Report No. 83-5, January 1983, was referred to the Committee on Consumer Protection and Commerce.

A communication from the Office of the Administrative Director of the Courts, the Judiciary, (Dept. Com. No. 14), dated January 10, 1983, transmitting copies of the Judiciary's Annual Report, Fiscal Year 1981-82, together with a Statistical Supplement, was referred to the Committee on Judiciary.

A publication from the Office of the Superintendent, Department of Education, (Dept. Com. No. 15) entitled: "The Superintendent's Directions 1982-1983," was referred to the Committee on Education.

A communication from the Office of the Auditor (Dept. Com. No. 16), dated January 18, 1983, transmitting copies of "Sunset Evaluation Report, Public Accountancy, Chapter 466, Hawaii Revised Statutes," Report No. 83-6, January 1983, and "Sunset

Evaluation Report, Real Estate Brokers and Salesmen, Chapter 467, Hawaii Revised Statutes," Report No. 83-7, January 1983, was referred to the Committee on Consumer Protection and Commerce.

A communication from the Office of the Ombudsman (Dept. Com. No. 17), dated January 21, 1983, transmitting copies of the Annual Report of the Office of the Ombudsman, Fiscal Year 1981-1982, Report Number 13, January 1983, was referred to the Committee to the Committee on Legislative Management.

At 11:37 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:38 o'clock a.m.

The Chair, at this time, made the following announcement:

"The Chair would like to announce that bill introduction will begin tomorrow (Wednesday, January 26th), starting at 9:00 a.m.

"Just as a reminder, Senators are requested to observe the following guidelines: (1) Do not introduce any short form bills. The Minority Leader and I will be developing a short form bill package for introduction and you are asked to present any requests for short form bill titles for inclusion in the package; (2) Do not introduce any bills, the purpose of which is to appropriate money. Here again, the Minority Leader and I will be developing an appropriation bill package. Procedures will be established to assure all Senators the opportunity to present any appropriation recommendations that they may have. Each Senator, of course, may introduce one bill for CIP projects for his or her district; and (3) Please remember that the Senate shall not introduce any congratulatory or condolence resolutions and that we issue certificates instead.

"Thank you."

Senator Abercrombie then queried as follows:

"Mr. President, just a question, please.

"With respect to the announcement about appropriation bills, that is to say a bill introduced solely for the appropriation of money, does that mean a short form bill which merely

states that there is such and such an appropriation or blank amount of money for a particular project? Is that what you mean by such a bill which may not be introduced?"

The Chair answered that "it would cover a wider, broader subject matter area than a bill, for example, relating to economic development with a short purpose clause with a 'blank' for the amount."

Senator Abercrombie continued: "You do not want that kind of bill?"

The Chair replied: "No, the Minority Leader and I will be introducing several bills to be used as vehicles, should the need arise, for processing legislation."

Senator Abercrombie then stated and asked: "I understand that but I want to make sure. I have several bills that I have been working a long time on that have purpose clauses,

that have specific projects in mind and have appropriations associated with them. Are those bills appropriate to introduce?"

The Chair answered: "No. Before you do that, can we sit down and talk about it first?"

Senator Abercrombie replied: "What if I say no?"

The Chair answered: "Then, I guess we don't talk about it."

Senator Abercrombie then said: "Mr. President, I'm always happy to speak with you. Of course, I'm not allowed in very often to do it but..."

ADJOURNMENT

At 11:44 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, January 26, 1933.

SIXTH DAY

Wednesday, January 26, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983 was called to order at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Colonel Joseph E. McCausland, Chaplain, United States Air Force, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie, George, Kawasaki and Uwaine who were excused.

The Chair announced that he had read and approved the Journal of the Fifth Day.

At this time, Senator Cobb rose and stated:

"Mr. President, it is always a pleasure to introduce beautiful ladies, particularly when they come a long way to see us, and on behalf of the Senate, I would like to introduce three ladies who are visiting from Los Angeles seated in the gallery: Miss Jenny Lee, Miss Nye Syk Lee and Mrs. Kwang Ja Yoon, two of the three from Los Angeles and one from Los Altos, California."

Senator Chang then rose and stated:

"Mr. President, I'd like to introduce someone who for many of you needs no introduction, but inasmuch as we have some new Senators this year, I would like to point out a person who has been in these legislative halls for many years. He is the president of the Pauoa Community Association and a member of several boards and commissions in this state, Mr. Albert Sing."

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 49 to 52) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 49) transmitting copies of a report prepared by the State Intake Service Centers, January 1983, (Report No. 83-001), entitled: "Trends of the Felon Population: Adults Committed to Correctional Facilities FY 1974-75 to FY 1981-82," was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 50) transmitting copies of the Annual Report for the Department of Defense, FY 1982, submitted pursuant to Chapter 93-12, HRS, was referred to the Committee on Federal Relations.

A message from the Governor (Gov. Msg. No. 51) transmitting copies of the State Intake Service Center 1982 Annual Report, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 52) transmitting copies of the Program Memoranda (11), submitted pursuant to Section 37-70, HRS, as follows:

01, Economic Development, January 1983, was referred to the Committee on Economic Development;

02, Employment, January 1983, was referred to the Committee on Human Resources;

03, Transportation, January 1983, was referred to the Committee on Transportation;

04, Environmental Protection, January 1983, was referred to the Committee on Ecology, Environment and Recreation;

05, Health, January 1983, was referred to the Committee on Health;

06, Social Services, January 1983, was referred to the Committee on Human Resources;

07, Formal Education, January 1983, was referred jointly to the Committee on Education and the Committee on Higher Education;

08, Culture and Recreation, January 1983, was referred jointly to the Committee on Culture and Arts and the Committee on Ecology, Environment and Recreation;

09, Public Safety, January 1983, was referred to the Committee on Judiciary;

10, Individual Rights, January 1983, was referred to the Committee on Judiciary; and

11, Government-Wide Support, January 1983, was referred to the Committee on Ways and Means.

DEPARTMENTAL COMMUNICATION

A communication from the Office of the Auditor (Dept. Com. No. 18), transmitting copies of the following reports:

"Catalog of Legislative Requests Made to the University of Hawaii during the 1981 and 1982 Legislative Sessions and Responses Thereto," January 1983, (Report No. 83-9); and

"Budget Review and Analysis of the Higher Education Program (University of Hawaii)," January 1983, (Report No. 83-8);

was read by the Clerk and was referred to the Committee on Higher Education.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 1), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING ALL LAW ENFORCEMENT AGENCIES IN THE STATE OF HAWAII TO DELAY ISSUANCE OF CITATIONS AGAINST MOTOR VEHICLES WITH TINTED WINDOWS PENDING DEVELOPMENT OF STANDARDS BY THE LEGISLATURE," was offered by Senators Kawasaki, Fernandes Salling, Abercrombie, Kuroda, Chang, A. Kobayashi, Henderson, Holt, Ajifu, Hagino, Mizuguchi, Machida, Wong, Carpenter, Young, Solomon and Aki, and was read by the Clerk.

By unanimous consent, S.C.R. No. 1 was referred to the Committee on Government Operations and County Relations.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 4 and 5) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 4), entitled: "SENATE RESOLUTION REQUESTING ALL LAW ENFORCEMENT AGENCIES IN THE STATE OF HAWAII TO DELAY ISSUANCE OF CITATIONS AGAINST MOTOR VEHICLES WITH TINTED WINDOWS PENDING DEVELOPMENT OF STANDARDS BY THE LEGISLATURE," was offered by Senators Kawasaki, Fernandes Salling, Abercrombie, Kuroda, Chang, A. Kobayashi, Mizuguchi, Machida, Holt, Yamasaki, Ajifu, Wong, Carpenter, Hagino, Aki, Solomon and Young.

By unanimous consent, S.R. No. 4 was referred to the Committee on

Government Operations and County Relations.

A resolution (S.R. No. 5), entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO PERFORM AN AUDIT OF THE CANCER CENTER OF HAWAII," was offered by Senators Kawasaki, Kuroda, Fernandes Salling, Abercrombie, Carpenter, Cayetano, Toguchi, Aki, Ajifu, Solomon, Henderson, A. Kobayashi, Holt, Hagino and Cobb.

By unanimous consent, S.R. No. 5 was referred to the Committee on Higher Education, then to the Committee on Legislative Management.

INTRODUCTION OF SENATE BILLS

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Thursday, January 27, 1983:

Senate Bills

No. 1 "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN."

Introduced by: Senators Wong and Henderson.

No. 2 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."

Introduced by: Senators Wong and Henderson, by request.

No. 3 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Senators Wong and Henderson, by request.

No. 5 "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR."

Introduced by: Senators Wong and Henderson.

No. 6 "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR."

- Introduced by: Senators Wong and Henderson, by request.
- No. 7 "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS."
- Introduced by: Senators Wong and Henderson, by request.
- No. 8 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."
- Introduced by: Senators Wong and Henderson.
- No. 9 "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT."
- Introduced by: Senator Wong, by request.
- No. 10 "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS."
- Introduced by: Senator Wong.
- No. 11 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT."
- Introduced by: Senators Cobb and Carpenter.
- No. 12 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- Introduced by: Senators Cobb, Fernandes Salling, Chang, Aki, Soares and Carpenter.
- No. 13 "A BILL FOR AN ACT RELATING TO PUBLICATION OF PROPERTY INSURANCE RATES."
- Introduced by: Senators Cobb, Cayetano, Soares, Uwaine and Carpenter.
- No. 14 "A BILL FOR AN ACT RELATING TO INSURANCE."
- Introduced by: Senators Cobb, Kuroda, Carpenter, B. Kobayashi, Uwaine, Fernandes Salling, Aki, Kawasaki and Chang.
- No. 15 "A BILL FOR AN ACT RELATING TO STATE PURCHASE OF
- GOODS AND SERVICES FROM PRIVATE ENTERPRISE."
- Introduced by: Senators Cobb and Kuroda.
- No. 16 "A BILL FOR AN ACT RELATING TO THE RULE-MAKING IMPACT ON SMALL BUSINESSES."
- Introduced by: Senators Cobb, Kuroda and Hagino.
- No. 17 "A BILL FOR AN ACT RELATING TO FAIR BUSINESS PRACTICES."
- Introduced by: Senators Cobb, Chang, Aki, B. Kobayashi, Soares, Uwaine and Carpenter.
- No. 18 "A BILL FOR AN ACT RELATING TO FAIR BUSINESS PRACTICES."
- Introduced by: Senators Cobb, Fernandes Salling, Aki, Soares, Uwaine and Carpenter.
- No. 19 "A BILL FOR AN ACT RELATING TO THE SALE OF BUSINESS OPPORTUNITIES."
- Introduced by: Senators Cobb, Kuroda, Chang, B. Kobayashi, Kawasaki, Uwaine, Fernandes Salling, Aki and Carpenter.
- No. 20 "A BILL FOR AN ACT RELATING TO PAYMENT FOR GOODS AND SERVICES."
- Introduced by: Senators Cobb, Fernandes Salling, Chang, Aki and B. Kobayashi.
- No. 21 "A BILL FOR AN ACT RELATING TO FUND RAISING."
- Introduced by: Senators Cobb, Fernandes Salling, Chang, Aki and B. Kobayashi.
- No. 22 "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES."
- Introduced by: Senators Cobb, B. Kobayashi and Uwaine.
- No. 23 "A BILL FOR AN ACT RELATING TO MORTGAGES OF REAL PROPERTY OR FIXTURES."
- Introduced by: Senators Cobb, Kuroda, Uwaine, Fernandes Salling, Aki, B. Kobayashi, Carpenter, Kawasaki and Chang.
- No. 24 "A BILL FOR AN ACT RELATING TO MORTGAGES."

- Introduced by: Senators Cobb, Soares, Uwaine and Carpenter.
- No. 25 "A BILL FOR AN ACT RELATING TO MORTGAGES."
- Introduced by: Senators Cobb, Soares, Uwaine and Carpenter.
- No. 26 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."
- Introduced by: Senators Cobb, Kuroda, B. Kobayashi, Kawasaki, Uwaine, Fernandes Salling, Aki, Carpenter and Chang.
- No. 27 "A BILL FOR AN ACT RELATING TO ATTACHMENT AND EXECUTION."
- Introduced by: Senators Cobb and Yamasaki.
- No. 28 "A BILL FOR AN ACT RELATING TO SECURITIES."
- Introduced by: Senators Cobb, Kuroda, Kawasaki, B. Kobayashi, Carpenter, Uwaine, Fernandes Salling, Aki and Chang.
- No. 29 "A BILL FOR AN ACT RELATING TO TIME SHARING."
- Introduced by: Senators Cobb, Fernandes Salling, Chang, Aki and B. Kobayashi.
- No. 30 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."
- Introduced by: Senators Cobb, Carpenter, Henderson, Kuroda and Aki.
- No. 31 "A BILL FOR AN ACT RELATING TO CONDOMINIUM CONVERSION."
- Introduced by: Senators Cobb, Uwaine and Carpenter.
- No. 32 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STATEWIDE TIE-LINE."
- Introduced by: Senators Cobb, Fernandes Salling, Chang, Aki, Soares, Uwaine and Carpenter.
- No. 33 "A BILL FOR AN ACT RELATING TO LANDSCAPE ARCHITECTS."
- Introduced by: Senator Cobb, by request.
- No. 34 "A BILL FOR AN ACT RELATING TO SPEECH PATHOLOGY AND AUDIOLOGY."
- Introduced by: Senators Cobb and Uwaine.
- No. 35 "A BILL FOR AN ACT RELATING TO NATIONAL GUARD AND RESERVE TUITION WAIVERS."
- Introduced by: Senators Cobb, Kuroda, Ajifu, George, Machida, Hagino, Carpenter, A. Kobayashi and Henderson.
- No. 36 "A BILL FOR AN ACT RELATING TO COUNTIES."
- Introduced by: Senators Cobb, Kuroda, Aki, Uwaine, Chang and Carpenter.
- No. 37 "A BILL FOR AN ACT RELATING TO CONTRACTORS."
- Introduced by: Senators Cobb, Chang and Henderson.
- No. 38 "A BILL FOR AN ACT RELATING TO ELECTRICIANS AND PLUMBERS."
- Introduced by: Senators Cobb, Chang and Henderson.
- No. 39 "A BILL FOR AN ACT RELATING TO PROFESSIONAL ENGINEERS, ARCHITECTS, AND SURVEYORS."
- Introduced by: Senators Cobb, Chang and Henderson.
- No. 40 "A BILL FOR AN ACT RELATING TO ACCOUNTANTS."
- Introduced by: Senators Cobb, Chang and Henderson.
- No. 41 "A BILL FOR AN ACT RELATING TO REAL ESTATE."
- Introduced by: Senators Cobb, Chang and Henderson.
- No. 42 "A BILL FOR AN ACT RELATING TO ELEVATOR MECHANICS."
- Introduced by: Senators Cobb and Chang.
- No. 43 "A BILL FOR AN ACT RELATING TO SPEEDY CRIMINAL PROCEEDINGS."
- Introduced by: Senators Cobb, Fernandes Salling, Aki, B. Kobayashi, Soares, Uwaine and Carpenter.
- No. 44 "A BILL FOR AN ACT

RELATING TO CRIMINAL AND CIVIL LIABILITY."

Introduced by: Senators Cobb, Fernandes Salling, Kuroda, Aki and Carpenter.

No. 45 "A BILL FOR AN ACT RELATING TO JUVENILE CRIME."

Introduced by: Senators Cobb, Carpenter, Henderson, Cayetano, Fernandes Salling, Yamasaki, Kuroda and Aki.

No. 46 "A BILL FOR AN ACT RELATING TO RESTITUTION."

Introduced by: Senators Cobb, Carpenter, Henderson, Cayetano, Fernandes Salling, Yamasaki, Kuroda and Aki.

No. 47 "A BILL FOR AN ACT RELATING TO SHOPLIFTING."

Introduced by: Senators Cobb, Carpenter, Henderson, Fernandes Salling, Kuroda and Aki.

No. 48 "A BILL FOR AN ACT RELATING TO THEFT."

Introduced by: Senators Cobb, Ajifu, George, Kuroda and Aki.

No. 49 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Senators Cobb, Ajifu, George, Kuroda and Aki.

No. 50 "A BILL FOR AN ACT RELATING TO FAMILY COURTS."

Introduced by: Senators Cobb, Carpenter, Henderson, Kuroda, B. Kobayashi, Aki, Toguchi and Machida.

No. 51 "A BILL FOR AN ACT RELATING TO SMALL CLAIMS."

Introduced by: Senators Cobb, Carpenter, Henderson, Kuroda, B. Kobayashi, Aki, Toguchi and Machida.

No. 52 "A BILL FOR AN ACT RELATING TO SMALL CLAIMS."

Introduced by: Senators Cobb, Kuroda, B. Kobayashi, Henderson, Carpenter, Aki, Toguchi and Machida.

No. 53 "A BILL FOR AN ACT RELATING TO DISTRIBUTIONS BY CORPORATIONS."

Introduced by: Senator Cobb, by request.

No. 54 "A BILL FOR AN ACT RELATING TO THE HAWAII NON-PROFIT CORPORATION ACT."

Introduced by: Senators Cobb, Kuroda, Aki and Toguchi.

No. 55 "A BILL FOR AN ACT RELATING TO THE HAWAII BUSINESS CORPORATION ACT."

Introduced by: Senators Cobb, Kuroda, Aki and Toguchi.

No. 56 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."

Introduced by: Senators Kawasaki, Abercrombie, Kuroda, Aki, Carpenter, Ajifu, Machida, Solomon, Fernandes Salling, Henderson, A. Kobayashi and Holt.

No. 57 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE EQUIPMENT."

Introduced by: Senators Kawasaki, Kuroda, Aki, Abercrombie, Carpenter, Ajifu, Holt, Fernandes Salling, Solomon, Chang, Cayetano, Henderson, Machida and Mizuguchi.

No. 58 "A BILL FOR AN ACT RELATING TO CAPITAL CRIMES."

Introduced by: Senators Kawasaki, Carpenter, Abercrombie, Kuroda, Aki, Ajifu, Solomon, Henderson, A. Kobayashi and Cobb.

No. 59 "A BILL FOR AN ACT RELATING TO ALLOWANCE ON SERVICE RETIREMENT."

Introduced by: Senator Uwaine.

No. 60 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senator Uwaine.

No. 61 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Uwaine.

No. 62 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."

Introduced by: Senator Uwaine.

No. 63 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."

- Introduced by: Senator Uwaine.
- No. 64 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."
- Introduced by: Senator Uwaine.
- No. 65 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."
- Introduced by: Senator Uwaine.
- No. 66 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."
- Introduced by: Senator Uwaine.
- No. 67 "A BILL FOR AN ACT RELATING TO PENSIONER'S BONUS."
- Introduced by: Senators Uwaine and Aki.
- No. 68 "A BILL FOR AN ACT RELATING TO CORRECTIONS."
- Introduced by: Senator Uwaine.
- No. 69 "A BILL FOR AN ACT RELATING TO FIREWORKS."
- Introduced by: Senator Uwaine.
- No. 70 "A BILL FOR AN ACT RELATING TO LIVING WILLS."
- Introduced by: Senator Uwaine.
- No. 71 "A BILL FOR AN ACT RELATING TO THE MOLOKAI GENERAL HOSPITAL."
- Introduced by: Senator Uwaine.
- No. 72 "A BILL FOR AN ACT RELATING TO HOME CARE SERVICES."
- Introduced by: Senator Uwaine.
- No. 73 "A BILL FOR AN ACT RELATING TO THE NURSING HOME WITHOUT WALLS DEMONSTRATION PROJECT."
- Introduced by: Senator Uwaine.
- No. 74 "A BILL FOR AN ACT RELATING TO NEWSPAPERS."
- Introduced by: Senators Fernandes Salling, Kawasaki, Carpenter, Aki, Young, B. Kobayashi, Abercrombie, Cayetano, Holt and Solomon.
- No. 75 "A BILL FOR AN ACT RELATING TO NEWSPAPERS."
- Introduced by: Senators Fernandes Salling, Kawasaki, Abercrombie, Solomon, Carpenter, Cayetano and Holt.
- No. 76 "A BILL FOR AN ACT RELATING TO NEWSPAPERS."
- Introduced by: Senators Fernandes Salling, Kawasaki, Abercrombie, Carpenter, B. Kobayashi, Solomon, Cayetano and Holt.
- No. 77 "A BILL FOR AN ACT RELATING TO SENTENCING."
- Introduced by: Senators Kuroda and Ajifu.
- No. 78 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPAIR."
- Introduced by: Senators Kuroda, George, A. Kobayashi, Ajifu, Machida, Holt, Toguchi and Solomon.
- No. 79 "A BILL FOR AN ACT RELATING TO JURY DUTY."
- Introduced by: Senators Kuroda, George, A. Kobayashi, Ajifu, Holt, Toguchi and Solomon.
- No. 80 "A BILL FOR AN ACT RELATING TO JUVENILES."
- Introduced by: Senators Kuroda, George, Ajifu, Machida, Holt, Toguchi, and Solomon.
- No. 81 "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY AND FITNESS."
- Introduced by: Senators Kuroda, Toguchi, Solomon, Machida and Holt.
- No. 82 "A BILL FOR AN ACT RELATING TO PRIVATE PROSECUTION."
- Introduced by: Senators Kuroda, Toguchi, Solomon, Machida and Holt.
- No. 83 "A BILL FOR AN ACT RELATING TO COURTS."
- Introduced by: Senators Kuroda, George, A. Kobayashi, Ajifu, Chang, Toguchi, Solomon and Holt.
- No. 84 "A BILL FOR AN ACT RELATING TO CONVICTED FELONS."
- Introduced by: Senators Kuroda, Ajifu, Solomon and Holt.
- No. 85 "A BILL FOR AN ACT RELATING TO LIMITING

COMMERCIAL EXPLOITATION OF
CRIME."

Introduced by: Senators Kuroda,
George, A. Kobayashi, Ajifu,
Machida, Holt, Toguchi, Solomon and
Chang.

No. 86 "A BILL FOR AN ACT
RELATING TO JUVENILE CRIME."

Introduced by: Senators Kuroda,
Ajifu, Machida and Toguchi.

No. 87 "A BILL FOR AN ACT
RELATING TO INTOXICATING
LIQUOR."

Introduced by: Senators Kuroda,
George, A. Kobayashi, Ajifu,
Machida, Holt and Toguchi.

No. 88 "A BILL FOR AN ACT
RELATING TO COLLECTIVE
BARGAINING."

Introduced by: Senator Wong, by
request.

No. 89 "A BILL FOR AN ACT
RELATING TO THE STATE IMMI-
GRANT SERVICES CENTER."

Introduced by: Senator Wong, by
request.

No. 90 "A BILL FOR AN ACT
RELATING TO MEASUREMENT STAN-
DARDS."

Introduced by: Senator Wong, by
request.

No. 91 "A BILL FOR AN ACT
RELATING TO GRADES AND STAN-
DARDS."

Introduced by: Senator Wong, by
request.

No. 92 "A BILL FOR AN ACT
RELATING TO REGULATION OF
DEALERS IN FARM PRODUCE."

Introduced by: Senator Wong, by
request.

No. 93 "A BILL FOR AN ACT
RELATING TO CHICKEN EGGS."

Introduced by: Senator Wong, by
request.

No. 94 "A BILL FOR AN ACT
AMENDING SECTION 142-12, HAWAII
REVISED STATUTES, RELATING TO
PENALTIES.

Introduced by: Senator Wong, by
request.

No. 95 "A BILL FOR AN ACT
MAKING APPROPRIATIONS FOR
COLLECTIVE BARGAINING COST
ITEMS."

Introduced by: Senator Wong, by
request.

No. 96 "A BILL FOR AN ACT
MAKING APPROPRIATIONS FOR
COLLECTIVE BARGAINING COST
ITEMS."

Introduced by: Senator Wong, by
request.

No. 97 "A BILL FOR AN ACT
MAKING APPROPRIATIONS FOR
COLLECTIVE BARGAINING COST
ITEMS."

Introduced by: Senator Wong, by
request.

No. 98 "A BILL FOR AN ACT
MAKING APPROPRIATIONS FOR
COLLECTIVE BARGAINING COST
ITEMS."

Introduced by: Senator Wong, by
request.

No. 99 "A BILL FOR AN ACT
MAKING APPROPRIATIONS FOR
COLLECTIVE BARGAINING COST
ITEMS."

Introduced by: Senator Wong, by
request.

No. 100 "A BILL FOR AN ACT
RELATING TO THE ESTABLISHMENT
OF A STATE-OPERATED LOTTERY
SYSTEM."

Introduced by: Senator Wong.

No. 101 "A BILL FOR AN ACT
MAKING APPROPRIATIONS FOR
COLLECTIVE BARGAINING COST
ITEMS."

Introduced by: Senator Wong, by
request.

No. 102 "A BILL FOR AN ACT
MAKING APPROPRIATIONS FOR
COLLECTIVE BARGAINING COST
ITEMS."

Introduced by: Senator Wong, by
request.

No. 103 "A BILL FOR AN ACT
MAKING APPROPRIATIONS FOR
COLLECTIVE BARGAINING COST
ITEMS."

Introduced by: Senator Wong, by
request.

No. 104 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Wong, by request.

No. 105 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Wong, by request.

No. 106 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Wong, by request.

No. 107 "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS."

Introduced by: Senator Wong, by request.

No. 108 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Wong, by request.

No. 109 "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII."

Introduced by: Senator Wong, by request.

No. 110 "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR."

Introduced by: Senator Wong, by request.

No. 111 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senator Wong, by request.

No. 112 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senator Wong, by request.

No. 113 "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS."

Introduced by: Senator Wong, by request.

No. 114 "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS."

Introduced by: Senator Wong, by request.

No. 115 "A BILL FOR AN ACT RELATING TO THE UNIFORM UNCLAIMED PROPERTY ACT."

Introduced by: Senator Wong, by request.

No. 116 "A BILL FOR AN ACT RELATING TO THE MAJOR DISASTER FUND."

Introduced by: Senator Wong, by request.

No. 117 "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD."

Introduced by: Senator Wong, by request.

No. 118 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

Introduced by: Senator Wong, by request.

No. 119 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

Introduced by: Senator Wong, by request.

No. 120 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

Introduced by: Senator Wong, by request.

No. 121 "A BILL FOR AN ACT RELATING TO THE CONTROL OF TUBERCULOSIS."

Introduced by: Senator Wong, by request.

No. 122 "A BILL FOR AN ACT RELATING TO PERSONAL RECORDS."

Introduced by: Senator Wong, by request.

No. 123 "A BILL FOR AN ACT

RELATING TO ABOLISHMENT OF THE PREMARITAL EXAMINATION FOR SYPHILIS."

Introduced by: Senator Wong, by request.

No. 124 "A BILL FOR AN ACT RELATING TO THE REQUIRED BLOOD SAMPLES OF PREGNANT WOMEN."

Introduced by: Senator Wong, by request.

No. 125 "A BILL FOR AN ACT RELATING TO GUARDIANSHIP OF THE PERSON."

Introduced by: Senator Wong, by request.

No. 126 "A BILL FOR AN ACT RELATING TO USE OF CREDIT CARDS FOR HOSPITAL CHARGES."

Introduced by: Senator Wong, by request.

No. 127 "A BILL FOR AN ACT RELATING TO VITAL STATISTICS."

Introduced by: Senator Wong, by request.

No. 128 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Wong, by request.

No. 129 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Wong, by request.

No. 130 "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES PROGRAM."

Introduced by: Senator Wong, by request.

No. 131 "A BILL FOR AN ACT RELATING TO DAMS AND RESERVOIRS."

Introduced by: Senator Wong, by request.

No. 132 "A BILL FOR AN ACT RELATING TO THE AQUACULTURE DEVELOPMENT PROGRAM."

Introduced by: Senator Wong, by request.

No. 133 "A BILL FOR AN ACT RELATING TO CONSERVATION OF AQUATIC LIFE, WILDLIFE AND

PLANTS."

Introduced by: Senator Wong, by request.

No. 134 "A BILL FOR AN ACT RELATING TO EXCLUSION OF STOCK FROM FOREST RESERVATIONS, GAME MANAGEMENT AREAS AND PUBLIC HUNTING AREAS."

Introduced by: Senator Wong, by request.

No. 135 "A BILL FOR AN ACT RELATING TO WILD BIRD, GAME BIRD, AND GAME MAMMAL PERMITS."

Introduced by: Senator Wong, by request.

No. 136 "A BILL FOR AN ACT RELATING TO THE TAKING OF CORAL."

Introduced by: Senator Wong, by request.

No. 137 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senator Wong, by request.

No. 138 "A BILL FOR AN ACT RELATING TO WATER USE CONTROL."

Introduced by: Senator Wong, by request.

No. 139 "A BILL FOR AN ACT RELATING TO TRANSFER OF PARKS BETWEEN THE STATE AND THE COUNTIES."

Introduced by: Senator Wong, by request.

No. 140 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senator Wong, by request.

No. 141 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senator Wong, by request.

No. 142 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senator Wong, by request.

No. 143 "A BILL FOR AN ACT RELATING TO COLLECTIVE

- BARGAINING."
Introduced by: Senator Wong, by request.
- No. 144 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."
Introduced by: Senator Wong, by request.
- No. 145 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."
Introduced by: Senator Wong, by request.
- No. 146 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."
Introduced by: Senator Wong, by request.
- No. 147 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."
Introduced by: Senator Wong, by request.
- No. 148 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE."
Introduced by: Senator Wong, by request.
- No. 149 "A BILL FOR AN ACT RELATING TO LEAVES OF ABSENCE OF PUBLIC OFFICERS AND EMPLOYEES."
Introduced by: Senator Wong, by request.
- No. 150 "A BILL FOR AN ACT RELATING TO DEFERRED COMPENSATION PLAN FOR PUBLIC EMPLOYEES."
Introduced by: Senator Wong, by request.
- No. 151 "A BILL FOR AN ACT RELATING TO THE CONTROL OF PETROLEUM PRODUCTS."
Introduced by: Senator Wong, by request.
- No. 152 "A BILL FOR AN ACT RELATING TO STATE POPULATION AND PLANNING."
Introduced by: Senator Wong, by request.
- No. 153 "A BILL FOR AN ACT RELATING TO THE APPOINTMENT OF MEMBERS TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."
Introduced by: Senator Wong, by request.
- No. 154 "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII."
Introduced by: Senator Wong, by request.
- No. 155 "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT."
Introduced by: Senator Wong, by request.
- No. 156 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT."
Introduced by: Senator Wong, by request.
- No. 157 "A BILL FOR AN ACT RELATING TO THE SUBPOENA POWERS OF THE DIRECTOR OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS."
Introduced by: Senator Wong, by request.
- No. 158 "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE REPARATIONS ACT."
Introduced by: Senator Wong, by request.
- No. 159 "A BILL FOR AN ACT RELATING TO INSURANCE."
Introduced by: Senator Wong, by request.
- No. 160 "A BILL FOR AN ACT RELATING TO INSURANCE."
Introduced by: Senator Wong, by request.
- No. 161 "A BILL FOR AN ACT RELATING TO INSURANCE."
Introduced by: Senator Wong, by request.
- No. 162 "A BILL FOR AN ACT RELATING TO INSURANCE."
Introduced by: Senator Wong, by request.
- No. 163 "A BILL FOR AN ACT RELATING TO PATIENTS'

COMPENSATION FUND."

Introduced by: Senator Wong, by request.

No. 164 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senator Wong, by request.

No. 165 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senator Wong, by request.

No. 166 "A BILL FOR AN ACT RELATING TO REINSTATEMENT OF A SUSPENDED LICENSE OR PERMIT."

Introduced by: Senator Wong, by request.

No. 167 "A BILL FOR AN ACT RELATING TO FACTORY-BUILT HOUSING."

Introduced by: Senator Wong, by request.

No. 168 "A BILL FOR AN ACT RELATING TO THE COMMERCIAL EMPLOYMENT AGENCIES."

Introduced by: Senator Wong, by request.

No. 169 "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE REPAIR INDUSTRY."

Introduced by: Senator Wong, by request.

No. 170 "A BILL FOR AN ACT RELATING TO THE PRACTICE OF BARBERING."

Introduced by: Senator Wong, by request.

No. 171 "A BILL FOR AN ACT RELATING TO THE BOXING COMMISSION."

Introduced by: Senator Wong, by request.

No. 172 "A BILL FOR AN ACT RELATING TO CHIROPRACTIC."

Introduced by: Senator Wong, by request.

No. 173 "A BILL FOR AN ACT RELATING TO CHIROPRACTIC."

Introduced by: Senator Wong, by request.

No. 174 "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS."

Introduced by: Senator Wong, by request.

No. 175 "A BILL FOR AN ACT RELATING TO DENTISTRY."

Introduced by: Senator Wong, by request.

No. 176 "A BILL FOR AN ACT RELATING TO ELECTRICIANS AND PLUMBERS."

Introduced by: Senator Wong, by request.

No. 177 "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY."

Introduced by: Senator Wong, by request.

No. 178 "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY."

Introduced by: Senator Wong, by request.

No. 179 "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS AND SOLICITORS."

Introduced by: Senator Wong, by request.

No. 180 "A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING."

Introduced by: Senator Wong, by request.

No. 181 "A BILL FOR AN ACT RELATING TO THE NURSING HOME ADMINISTRATORS ACT."

Introduced by: Senator Wong, by request.

No. 182 "A BILL FOR AN ACT RELATING TO THE BOARD OF DISPENSING OPTICIANS."

Introduced by: Senator Wong, by request.

No. 183 "A BILL FOR AN ACT RELATING TO OPTOMETRY."

Introduced by: Senator Wong, by request.

No. 184 "A BILL FOR AN ACT RELATING TO THE PRACTICE OF OSTEOPATHY."

- Introduced by: Senator Wong, by request.
- No. 185 "A BILL FOR AN ACT RELATING TO THE BOARD OF PHARMACY."
- Introduced by: Senator Wong, by request.
- No. 186 "A BILL FOR AN ACT RELATING TO PRIVATE INVESTIGATORS AND GUARDS."
- Introduced by: Senator Wong, by request.
- No. 187 "A BILL FOR AN ACT RELATING TO THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS, ARCHITECTS AND SURVEYORS."
- Introduced by: Senator Wong, by request.
- No. 188 "A BILL FOR AN ACT RELATING TO THE NAME OF THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS, ARCHITECTS AND SURVEYORS."
- Introduced by: Senator Wong, by request.
- No. 189 "A BILL FOR AN ACT RELATING TO THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS, ARCHITECTS AND SURVEYORS."
- Introduced by: Senator Wong, by request.
- No. 190 "A BILL FOR AN ACT RELATING TO PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, LANDSCAPE ARCHITECTS."
- Introduced by: Senator Wong, by request.
- No. 191 "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS."
- Introduced by: Senator Wong, by request.
- No. 192 "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY."
- Introduced by: Senator Wong, by request.
- No. 193 "A BILL FOR AN ACT RELATING TO THE PRACTICE OF VETERINARY MEDICINE."
- Introduced by: Senator Wong, by request.
- No. 194 "A BILL FOR AN ACT MAKING AN AMENDMENT TO SECTION 314-8, HAWAII REVISED STATUTES."
- Introduced by: Senator Wong, by request.
- No. 195 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."
- Introduced by: Senator Wong, by request.
- No. 196 "A BILL FOR AN ACT RELATING TO PLACE OF IMPRISONMENT."
- Introduced by: Senator Wong, by request.
- No. 197 "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY."
- Introduced by: Senator Wong, by request.
- No. 198 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING."
- Introduced by: Senator Wong, by request.
- No. 199 "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS."
- Introduced by: Senator Wong, by request.
- No. 200 "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM."
- Introduced by: Senator Wong, by request.
- No. 201 "A BILL FOR AN ACT RELATING TO THE DUTY OF SUPPORT."
- Introduced by: Senator Wong, by request.
- No. 202 "A BILL FOR AN ACT RELATING TO HOUSING."
- Introduced by: Senator Wong, by request.
- No. 203 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE FOR CHILDREN."
- Introduced by: Senator Wong, by request.
- No. 204 "A BILL FOR AN ACT RELATING TO VISITATION AND SUPPORT."

Introduced by: Senator Wong, by request.

No. 205 "A BILL FOR AN ACT RELATING TO PATERNITY STATUTE OF LIMITATIONS."

Introduced by: Senator Wong, by request.

No. 206 "A BILL FOR AN ACT RELATING TO THE OFFENSES AGAINST THE PERSON."

Introduced by: Senator Wong, by request.

No. 207 "A BILL FOR AN ACT RELATING TO FAMILY COURTS."

Introduced by: Senator Wong, by request.

No. 208 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING."

Introduced by: Senator Wong, by request.

No. 209 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING."

Introduced by: Senator Wong, by request.

No. 210 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Wong, by request.

No. 211 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Senator Wong, by request.

No. 212 "A BILL FOR AN ACT RELATING TO TAX INCENTIVES FOR SOLAR ENERGY DEVICES."

Introduced by: Senator Wong, by request.

No. 213 "A BILL FOR AN ACT RELATING TO AERONAUTICS."

Introduced by: Senator Wong, by request.

No. 214 "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS AT AIRPORTS."

Introduced by: Senator Wong, by request.

No. 215 "A BILL FOR AN ACT RELATING TO THE REGISTRATION OF AIRCRAFT."

Introduced by: Senator Wong, by request.

No. 216 "A BILL FOR AN ACT RELATING TO HARBORS."

Introduced by: Senator Wong, by request.

No. 217 "A BILL FOR AN ACT RELATING TO BOATING."

Introduced by: Senator Wong, by request.

No. 218 "A BILL FOR AN ACT RELATING TO STATEWIDE TRAFFIC CODE."

Introduced by: Senator Wong, by request.

No. 219 "A BILL FOR AN ACT RELATING TO MASS TRANSPORTATION SAFETY."

Introduced by: Senator Wong, by request.

No. 220 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES AND MOPEDS."

Introduced by: Senator Wong, by request.

No. 221 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII COLLEGE OF EDUCATION."

Introduced by: Senator Wong, by request.

No. 222 "A BILL FOR AN ACT RELATING TO SALES AND TRANSFERS OF REAL PROPERTY SITUATED IN FLOOD AREAS."

Introduced by: Senators George and Cobb.

No. 223 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."

Introduced by: Senator George.

No. 224 "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN."

Introduced by: Senators Cayetano, Abercrombie, Chang, Fernandes Salling, Uwayne, Solomon, Aki, Young and Yamasaki.

No. 225 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senators Cayetano, Abercrombie, Aki, B. Kobayashi, Carpenter, Kuroda, Fernandes Salling and Chang.

No. 226 "A BILL FOR AN ACT RELATING TO TOURIST RELATED ACTIVITIES."

Introduced by: Senators Cayetano, Abercrombie, Uwaine, Solomon, Aki, B. Kobayashi, Fernandes Salling, Toguchi, Young and Chang.

No. 227 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Cayetano, Abercrombie, Uwaine, Solomon, Carpenter, Holt, Toguchi and Aki.

No. 228 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Cayetano, Kawasaki, Carpenter, Kuroda, Cobb, Hagino, Abercrombie, Machida, Fernandes Salling, Uwaine, Holt, Aki, Toguchi, Yamasaki, Chang and Solomon.

No. 229 "A BILL FOR AN ACT RELATING TO PROVIDING STATE EMPLOYEES WITH THE OPTION TO ESTABLISH AN INDIVIDUAL RETIREMENT ACCOUNT WITH CONTRIBUTIONS FROM THE STATE."

Introduced by: Senators Cayetano, Abercrombie, Kawasaki, Carpenter, Kuroda, Cobb, Hagino, Chang, Fernandes Salling, Holt, Solomon, Aki, Toguchi and Young.

No. 230 "A BILL FOR AN ACT RELATING TO THE NO-FAULT MOTOR VEHICLE LAW."

Introduced by: Senators Cayetano, Cobb, Abercrombie, Carpenter, Hagino, Chang, Machida, Uwaine, Holt, Solomon, Aki, Toguchi, Yamasaki, Fernandes Salling and Young.

No. 231 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE III OF THE HAWAII CONSTITUTION TO MAKE THE LEGISLATIVE PROCESS ENACTING STATUTES MORE EFFICIENT."

Introduced by: Senators Cayetano, Carpenter, Cobb and Aki.

No. 232 "A BILL FOR AN ACT

RELATING TO MOTOR VEHICLES."

Introduced by: Senators Cayetano, Carpenter, Machida, Cobb, Aki, Holt and Yamasaki.

No. 233 "A BILL FOR AN ACT RELATING TO PHYSICIANS, SURGEONS AND DENTISTS."

Introduced by: Senators Cayetano, Machida, Carpenter, B. Kobayashi, Cobb, Aki and Holt.

No. 234 "A BILL FOR AN ACT RELATING TO A PATIENT'S RIGHT OF SELF-DETERMINATION."

Introduced by: Senators Cayetano, Machida, Carpenter, B. Kobayashi, Cobb, Aki, Holt and Yamasaki.

No. 235 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE FOR THE ELDERLY."

Introduced by: Senators Cayetano, Machida, Carpenter, Cobb, Aki and Holt.

No. 236 "A BILL FOR AN ACT RELATING TO INFORMED CONSENT."

Introduced by: Senators Cayetano, Machida, Carpenter, B. Kobayashi, Cobb, Aki and Holt.

No. 237 "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY AND FITNESS."

Introduced by: Senators Cayetano, Carpenter, Machida, Aki and Yamasaki.

No. 238 "A BILL FOR AN ACT RELATING TO DEFICIENCY JUDGMENTS."

Introduced by: Senators Cayetano, Carpenter, Machida, Cobb, Aki and Holt.

No. 239 "A BILL FOR AN ACT RELATING TO THE STATE BAIL BOND SYSTEM."

Introduced by: Senators Cayetano, Carpenter, Cobb, Aki, Holt and Machida.

No. 240 "A BILL FOR AN ACT RELATING TO CRIMES."

Introduced by: Senators Cayetano, Carpenter, Cobb, B. Kobayashi, Holt, Aki and Machida.

No. 241 "A BILL FOR AN ACT RELATING TO QUALIFICATION OF

EXPERTS WHERE INSANITY OR MENTAL ILLNESS IS AN ISSUE."

Introduced by: Senators Cayetano, Machida, Carpenter, Aki and Holt.

No. 242 "A BILL FOR AN ACT RELATING TO PILOTAGE."

Introduced by: Senator Wong, by request.

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bill was referred to print and was placed on the calendar for further consideration on Thursday, January 27, 1983:

Senate Bill

No. 4 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS AND MAKING APPROPRIATIONS THEREFOR."

Introduced by: Senators Wong and Henderson.

SPECIAL COMMITTEE REPORT

Senator Carpenter, for the Committee on Judiciary, which was requested by Senate Resolution No. 139, S.D. 1 (1982), entitled: "SENATE RESOLUTION REQUESTING AN INVESTIGATION OF THE ALLEGATIONS OF BRUTALITY AGAINST INMATES OF THE OAHU COMMUNITY CORRECTIONAL CENTER ARISING FROM AND OF THE PROCEDURES UTILIZED IN THE PRISON SHAKEDOWN," to undertake an investigation, presented a report (Spec. Com. Rep. No. 2) with its findings, conclusions and recommendations.

By unanimous consent, the report of the Committee was received and placed on file.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1) informing the Senate that Senate Concurrent Resolution No. 1 and Senate Resolution Nos. 4 and 5 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator Cobb and carried, the report of the Committee was adopted.

MISCELLANEOUS COMMUNICATION

A communication from the Department of Water, County of Kauai (Misc. Com. No. 1), transmitting copies of the following:

"Proposed C.I.P. Projects, Request for State Aid, 1983 Session;" and

Resolution No. 2, the Kauai Department of Water Legislative Budget, 1983-1984, that was adopted on December 9, 1982;

was read by the Clerk and was referred to the Committee on Ways and Means.

ADJOURNMENT

At 11:45 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, January 27, 1983.

SEVENTH DAY

Thursday, January 27, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Dr. Anderson Clark, Campus Minister, University of Hawaii at Manoa, after which the Roll was called showing all Senators present with the exception of Senators Solomon and Yamasaki who were excused.

The Chair announced that he had read and approved the Journal of the Sixth Day.

Senator Kuroda then introduced to the members of the Senate, Colonel Jim Provines who is assigned to CINCPAC at Camp Smith, Hawaii, and Mrs. Amy Araki, secretary to the deputy commander, CINCPAC, both of whom accompanied Colonel John B. Perkins, USAF Reserve, and Mrs. Perkins to the Legislature. Senator Kuroda added that Colonel Perkins is a flight captain for United Airlines.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 53 to 56) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 53) transmitting 12 proposed senate concurrent resolutions relating to the 12 State Functional Plans and recommending their adoption, was placed on file.

A message from the Governor (Gov. Msg. No. 54) transmitting a report prepared by the Department of Agriculture, dated January 14, 1983, in response to House Resolution No. 358 (1982), requesting a study of the herbicide called Paraquat, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 55) transmitting a report prepared by the Department of Health, in response to House Resolution No. 234 (1982) regarding newborn screening for congenital diseases, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 56) transmitting the Annual Report, Fiscal Year 1981-1982, of the Commission on Population and the

Hawaiian Future, was referred to the Committee on Economic Development.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 2 to 15) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 2), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE AGRICULTURE PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 2 was referred to the Committee on Agriculture, the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 3), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE EDUCATION PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 3 was referred to the Committee on Education, the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 4), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HEALTH PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 4 was referred to the Committee on Health, the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 5), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE WATER RESOURCES DEVELOPMENT PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 5 was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 6), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE RECREATION PLAN," was offered by Senator Wong, by request.

By unanimous consent,

consideration of S.C.R. No. 6 was deferred until Friday, January 28, 1983.

A concurrent resolution (S.C.R. No. 7), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE CONSERVATION LANDS PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 7 was referred to the Committee on Ecology, Environment and Recreation, the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 8), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HISTORIC PRESERVATION PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 8 was referred to the Committee on Ecology, Environment and Recreation, the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 9), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO A STATE TOURISM PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 9 was referred to the Committee on Tourism, the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 10), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE ENERGY PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 10 was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 11), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE HOUSING PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 11 was referred to the Committee on Housing and Urban Development, the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 12), entitled: "SENATE CONCURRENT RESOLUTION RELATING

TO THE STATE TRANSPORTATION PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 12 was referred to the Committee on Transportation, the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 13), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO A STATE HIGHER EDUCATION FUNCTIONAL PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 13 was referred to the Committee on Higher Education, the Committee on Economic Development, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 14), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO IMPLEMENT THE NURSING HOME WITHOUT WALLS DEMONSTRATION PROJECT," was offered by Senator Uwaine.

By unanimous consent, consideration of S.C.R. No. 14 was deferred until Friday, January 28, 1983.

A concurrent resolution (S.C.R. No. 15), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPARATIVE STUDY OF SALARIES FOR RECREATION THERAPISTS," was offered by Senator Uwaine.

By unanimous consent, consideration of S.C.R. No. 15 was deferred until Friday, January 28, 1983.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 6 and 7) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 6), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO IMPLEMENT THE NURSING HOME WITHOUT WALLS DEMONSTRATION PROJECT," was offered by Senator Uwaine.

By unanimous consent, consideration of S.R. No. 6 was deferred until Friday, January 28, 1983.

A resolution (S.R. No. 7), entitled: "SENATE RESOLUTION REQUESTING A COMPARATIVE STUDY OF

SALARIES FOR RECREATION THERAPISTS," was offered by Senator Uwaine.

By unanimous consent, consideration of S.R. No. 7 was deferred until Friday, January 28, 1983.

INTRODUCTION OF SENATE BILLS

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Friday, January 28, 1983:

Senate Bills

- No. 243 "A BILL FOR AN ACT RELATING TO AN INCOME TAX CREDIT FOR EMPLOYMENT SERVICE FEES."
- Introduced by: Senators Kawasaki, by request, Abercrombie, Aki, Ajifu, Solomon, Fernandes Salling, Holt, Machida, Hagino and Cobb.
- No. 244 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."
- Introduced by: Senators Kawasaki, Abercrombie, Kuroda, Aki, Solomon, Carpenter, Cayetano, Ajifu, Holt, Fernandes Salling, Hagino and Cobb.
- No. 245 "A BILL FOR AN ACT RELATING TO HEARINGS."
- Introduced by: Senators Carpenter, George, Cayetano, Abercrombie, Kawasaki, Fernandes Salling and Soares.
- No. 246 "A BILL FOR AN ACT RELATING TO THE HAWAII ECONOMIC REVITALIZATION OPPORTUNITIES ENTERPRISE ZONE ACT."
- Introduced by: Senators Carpenter, Chang, Abercrombie, Cayetano, Kawasaki, Fernandes Salling, Hagino, Cobb, Machida and Soares.
- No. 247 "A BILL FOR AN ACT RELATING TO MORTGAGE AND COLLECTION SERVICING AGENTS."
- Introduced by: Senators Carpenter, George, Cayetano, Abercrombie, Kawasaki, Fernandes Salling, Hagino, Machida and Soares.
- No. 248 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLES II, III, AND XVII OF THE CONSTITUTION OF THE STATE OF HAWAII TO PROVIDE FOR THE INITIATIVE."
- Introduced by: Senators Carpenter, George, Cayetano, Abercrombie, Kawasaki, Cobb and Soares.
- No. 249 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."
- Introduced by: Senators Carpenter, George, Cayetano, Abercrombie, Kawasaki and Soares.
- No. 250 "A BILL FOR AN ACT RELATING TO THE HAWAII ECONOMIC REVITALIZATION OPPORTUNITIES ACT."
- Introduced by: Senators Carpenter, Chang, Abercrombie, Cayetano, Kawasaki, Fernandes Salling, Cobb, Machida and Soares.
- No. 251 "A BILL FOR AN ACT RELATING TO LAND USE."
- Introduced by: Senators Carpenter, Abercrombie, Cayetano, Fernandes Salling, Cobb and Soares.
- No. 252 "A BILL FOR AN ACT RELATING TO THE STATE LAND USE COMMISSION."
- Introduced by: Senators Young, Fernandes Salling, Abercrombie and Hagino.
- No. 253 "A BILL FOR AN ACT RELATING TO THE UNIFORM LAND SALES PRACTICES ACT."
- Introduced by: Senators Young, Fernandes Salling, Abercrombie and Mizuguchi.
- No. 254 "A BILL FOR AN ACT RELATING TO STATE HOUSING PROJECTS."
- Introduced by: Senators Young, Fernandes Salling, Abercrombie, Hagino and Mizuguchi.
- No. 255 "A BILL FOR AN ACT RELATING TO FIREARMS BROUGHT INTO THE STATE."
- Introduced by: Senators Machida, Yamasaki, Carpenter, Mizuguchi, A. Kobayashi, Ajifu, Young, Hagino, Cayetano and Aki.
- No. 256 "A BILL FOR AN ACT RELATING TO FIREARM REGISTRATION."
- Introduced by: Senators Machida, Yamasaki, Carpenter, Mizuguchi,

- Young, Cayetano and Aki.
- No. 257 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE VICTIM-WITNESS COUNSELOR PROGRAM ON MAUI."
- Introduced by: Senators Machida, Yamasaki, Mizuguchi, A. Kobayashi, Young, Cayetano and Aki.
- No. 258 "A BILL FOR AN ACT RELATING TO DANGEROUS INSTRUMENTS."
- Introduced by: Senators Machida, Yamasaki, Carpenter, Mizuguchi, A. Kobayashi, Young and Aki.
- No. 259 "A BILL FOR AN ACT RELATING TO ALTERNATE JURORS."
- Introduced by: Senators Machida, Yamasaki, Mizuguchi, Ajifu, Hagino, Cayetano and Aki.
- No. 260 "A BILL FOR AN ACT RELATING TO ALTERATION OF FIREARMS AND AMMUNITION."
- Introduced by: Senators Machida, Yamasaki, Mizuguchi, Ajifu, Hagino, Cayetano and Aki.
- No. 261 "A BILL FOR AN ACT RELATING TO ROBBERY."
- Introduced by: Senators Machida, Yamasaki, Carpenter, Mizuguchi, A. Kobayashi, Ajifu, Aki and Hagino.
- No. 262 "A BILL FOR AN ACT RELATING TO FIREARM PENALTIES."
- Introduced by: Senators Machida, Yamasaki, Carpenter, Mizuguchi, Aki and Hagino.
- No. 263 "A BILL FOR AN ACT RELATING TO NEGOTIATING A WORTHLESS NEGOTIABLE INSTRUMENT."
- Introduced by: Senators Machida, Yamasaki, Carpenter, Mizuguchi, A. Kobayashi, Ajifu, Hagino, Cayetano and Aki.
- No. 264 "A BILL FOR AN ACT RELATING TO SENTENCING FOR DRUG CONVICTION."
- Introduced by: Senators Machida, Yamasaki, Carpenter, Mizuguchi, A. Kobayashi, Ajifu, Hagino and Aki.
- No. 265 "A BILL FOR AN ACT RELATING TO JUSTIFICATION."
- Introduced by: Senators Machida, Yamasaki, Carpenter, Mizuguchi, Ajifu and Aki.
- No. 266 "A BILL FOR AN ACT RELATING TO DEFERRED ACCEPTANCE OF NOLO CONTENDERE PLEAS."
- Introduced by: Senators Machida, Yamasaki, Mizuguchi, Ajifu and Aki.
- No. 267 "A BILL FOR AN ACT RELATING TO MANSLAUGHTER."
- Introduced by: Senators Machida, Yamasaki, Carpenter, Mizuguchi, A. Kobayashi, Ajifu, Hagino and Aki.
- No. 268 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS."
- Introduced by: Senators Machida, Yamasaki, Carpenter, Mizuguchi, A. Kobayashi, Ajifu, Hagino and Aki.
- No. 269 "A BILL FOR AN ACT RELATING TO REVOCATION OF LICENSE FOR NEGLIGENT HOMICIDE CONVICTIONS."
- Introduced by: Senators Machida, Yamasaki, Carpenter, Mizuguchi, A. Kobayashi, Ajifu, Aki and Hagino.
- No. 270 "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY."
- Introduced by: Senators George and Carpenter.
- No. 271 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII VISITORS BUREAU."
- Introduced by: Senators Henderson, Soares, A. Kobayashi, George and Ajifu.
- No. 272 "A BILL FOR AN ACT RELATING TO FACTORY-BUILT HOUSING."
- Introduced by: Senator Henderson, by request.
- No. 273 "A BILL FOR AN ACT RELATING TO TOURISM."
- Introduced by: Senators Henderson, Soares, A. Kobayashi and George.
- No. 274 "A BILL FOR AN ACT RELATING TO TOURISM."
- Introduced by: Senators Henderson, Soares, A. Kobayashi and George.

No. 275 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION TO PROVIDE FOR AN APPOINTED BOARD OF EDUCATION."

Introduced by: Senator Ajifu.

No. 276 "A BILL FOR AN ACT RELATING TO COMPULSORY SCHOOL ATTENDANCE."

Introduced by: Senator Ajifu.

No. 277 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS."

Introduced by: Senator Ajifu.

No. 278 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Senator Ajifu.

No. 279 "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY."

Introduced by: Senator Ajifu.

No. 280 "A BILL FOR AN ACT RELATING TO ABORTION."

Introduced by: Senator Ajifu.

No. 281 "A BILL FOR AN ACT RELATING TO WRONGFUL DEATH."

Introduced by: Senators Cayetano and Carpenter.

No. 282 "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS."

Introduced by: Senators Cayetano and Carpenter.

No. 283 "A BILL FOR AN ACT RELATING TO INTEREST ON JUDGMENTS."

Introduced by: Senators Cayetano and Carpenter.

No. 284 "A BILL FOR AN ACT RELATING TO EMINENT DOMAIN."

Introduced by: Senators Cayetano and Carpenter.

No. 285 "A BILL FOR AN ACT RELATING TO STATUTE OF LIMITATIONS FOR MOTOR VEHICLE REPARATIONS."

Introduced by: Senators Cayetano and Carpenter.

No. 286 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS."

Introduced by: Senators Cayetano and Carpenter.

No. 287 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS."

Introduced by: Senators Cayetano and Carpenter.

No. 288 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Cayetano and Carpenter.

No. 289 "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS."

Introduced by: Senators Cayetano and Carpenter.

No. 290 "A BILL FOR AN ACT RELATING TO SUITS BETWEEN SPOUSES."

Introduced by: Senators Cayetano, Carpenter, Holt, Machida and Aki.

No. 291 "A BILL FOR AN ACT RELATING TO COMPARATIVE NEGLIGENCE."

Introduced by: Senators Cayetano and Carpenter.

No. 292 "A BILL FOR AN ACT RELATING TO COMPARATIVE NEGLIGENCE."

Introduced by: Senators Cayetano, Cobb, Aki, Carpenter, Holt and Machida.

No. 293 "A BILL FOR AN ACT RELATING TO SURVIVAL OF CAUSE OF ACTION."

Introduced by: Senators Cayetano, Carpenter, Cobb, Holt, Machida and Aki.

No. 294 "A BILL FOR AN ACT RELATING TO THE SALE OF LIQUOR TO MINORS."

Introduced by: Senators A. Kobayashi, Ajifu, Uwayne, Carpenter, Cobb, Holt, Soares, Hagino, Kuroda, Machida, B. Kobayashi, Solomon, Fernandes Salling, Henderson and George.

No. 295 "A BILL FOR AN ACT RELATING TO VICE-PRINCIPALS."

Introduced by: Senators A. Kobayashi, Ajifu, Uwaine, Carpenter, Cobb, Holt, Hagino, Kuroda, Solomon, Fernandes Salling, Henderson, Machida, Soares and George.

No. 296 "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION."

Introduced by: Senator George.

No. 297 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI OF THE HAWAII CONSTITUTION RELATING TO JUSTICES AND JUDGES."

Introduced by: Senators George, Henderson and Soares.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 2) informing the Senate that Senate Concurrent Resolution Nos. 2 to 15, Senate Resolution Nos. 6 and 7, and Senate Bill Nos. 1 to 242 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator Cobb and carried, the report of the Committee was adopted.

Senator Kawasaki, for the majority of the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 3) recommending that Senate Resolution No. 4 be adopted.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the majority of the Committee was adopted and S.R. No. 4, entitled: "SENATE RESOLUTION REQUESTING ALL LAW ENFORCEMENT AGENCIES IN THE STATE OF HAWAII TO DELAY ISSUANCE OF CITATIONS AGAINST MOTOR VEHICLES WITH TINTED WINDOWS PENDING DEVELOPMENT OF STANDARDS BY THE LEGISLATURE," was adopted on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (George and Cobb). Excused, 2 (Solomon and Yamasaki).

Senator Kawasaki, for the majority of the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 4) recommending that Senate Concurrent Resolution No. 1

be adopted.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the majority of the Committee was adopted and S.C.R. No. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING ALL LAW ENFORCEMENT AGENCIES IN THE STATE OF HAWAII TO DELAY ISSUANCE OF CITATIONS AGAINST MOTOR VEHICLES WITH TINTED WINDOWS PENDING DEVELOPMENT OF STANDARDS BY THE LEGISLATURE," was adopted on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (George and Cobb). Excused, 2 (Solomon and Yamasaki).

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Wednesday, January 26, 1983:

Senate Bills Referred to:

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| No. 1 | Committee on Ways and Means |
| No. 2 | Committee on Ways and Means |
| No. 3 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 4 | Committee on Ways and Means |
| No. 5 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 6 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 7 | Committee on Hawaiian Programs, then to the Committee on Ways and Means |
| No. 8 | Committee on Human Resources, then to the Committee on Ways and Means |
| No. 9 | Committee on Economic Development, then to the Committee on Ways and Means |
| No. 10 | Committee on Judiciary |
| No. 11 | Committee on Human Resources, then to the Committee on Ways and Means |

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| No. 12 | Committee on Human Resources | No. 34 | Committee on Consumer Protection and Commerce |
| No. 13 | Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means | No. 35 | Committee on Higher Education, then to the Committee on Ways and Means |
| No. 14 | Committee on Consumer Protection and Commerce | No. 36 | Committee on Government Operations and County Relations, then to the Committee on Ways and Means |
| No. 15 | Committee on Government Operations and County Relations, then to the Committee on Ways and Means | No. 37 | Committee on Consumer Protection and Commerce |
| No. 16 | Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means | No. 38 | Committee on Consumer Protection and Commerce |
| No. 17 | Committee on Consumer Protection and Commerce | No. 39 | Committee on Consumer Protection and Commerce |
| No. 18 | Committee on Consumer Protection and Commerce | No. 40 | Committee on Consumer Protection and Commerce |
| No. 19 | Committee on Consumer Protection and Commerce | No. 41 | Committee on Consumer Protection and Commerce |
| No. 20 | Committee on Government Operations and County Relations, then to the Committee on Ways and Means | No. 42 | Committee on Consumer Protection and Commerce |
| No. 21 | Committee on Consumer Protection and Commerce | No. 43 | Committee on Judiciary |
| No. 22 | Committee on Consumer Protection and Commerce | No. 44 | Committee on Judiciary |
| No. 23 | Committee on Consumer Protection and Commerce | No. 45 | Committee on Judiciary |
| No. 24 | Committee on Consumer Protection and Commerce | No. 46 | Committee on Judiciary |
| No. 25 | Committee on Consumer Protection and Commerce | No. 47 | Committee on Judiciary |
| No. 26 | Committee on Consumer Protection and Commerce | No. 48 | Committee on Consumer Protection and Commerce, then to the Committee on Judiciary |
| No. 27 | Committee on Judiciary | No. 49 | Committee on Judiciary |
| No. 28 | Committee on Consumer Protection and Commerce | No. 50 | Committee on Judiciary |
| No. 29 | Committee on Consumer Protection and Commerce | No. 51 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 30 | Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means | No. 52 | Committee on Judiciary |
| No. 31 | Committee on Consumer Protection and Commerce | No. 53 | Committee on Consumer Protection and Commerce |
| No. 32 | Committee on Legislative Management | No. 54 | Committee on Consumer Protection and Commerce |
| No. 33 | Committee on Consumer Protection and Commerce | No. 55 | Committee on Consumer Protection and Commerce |
| | | No. 56 | Committee on Judiciary |
| | | No. 57 | Committee on Transportation |
| | | No. 58 | Committee on Judiciary |
| | | No. 59 | Committee on Human |

Resources, then to the Committee on Ways and Means	No. 82	Committee on Judiciary
No. 60 Committee on Human Resources, then to the Committee on Ways and Means	No. 83	Committee on Judiciary
No. 61 Committee on Human Resources, then to the Committee on Ways and Means	No. 84	Committee on Judiciary
No. 62 Committee on Human Resources, then to the Committee on Ways and Means	No. 85	Committee on Judiciary
No. 63 Committee on Human Resources, then to the Committee on Ways and Means	No. 86	Committee on Judiciary
No. 64 Committee on Human Resources, then to the Committee on Ways and Means	No. 87	Committee on Judiciary
No. 65 Committee on Human Resources, then to the Committee on Ways and Means	No. 88	Committee on Human Resources, then to the Committee on Ways and Means
No. 66 Committee on Human Resources	No. 89	Committee on Human Resources, then to the Committee on Ways and Means
No. 67 Committee on Human Resources, then to the Committee on Ways and Means	No. 90	Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
No. 68 Committee on Judiciary, then to the Committee on Ways and Means	No. 91	Committee on Agriculture
No. 69 Committee on Judiciary	No. 92	Committee on Agriculture
No. 70 Committee on Health, then to the Committee on Judiciary	No. 93	Committee on Agriculture
No. 71 Committee on Health, then to the Committee on Ways and Means	No. 94	Committee on Agriculture
No. 72 Committee on Human Resources, then to the Committee on Ways and Means	No. 95	Committee on Human Resources, then to the Committee on Ways and Means
No. 73 Committee on Human Resources, then to the Committee on Ways and Means	No. 96	Committee on Human Resources, then to the Committee on Ways and Means
No. 74 Committee on Judiciary	No. 97	Committee on Human Resources, then to the Committee on Ways and Means
No. 75 Committee on Judiciary	No. 98	Committee on Human Resources, then to the Committee on Ways and Means
No. 76 Committee on Judiciary	No. 99	Committee on Human Resources, then to the Committee on Ways and Means
No. 77 Committee on Judiciary	No. 100	Committee on Judiciary, then to the Committee on Ways and Means
No. 78 Committee on Consumer Protection and Commerce	No. 101	Committee on Human Resources, then to the Committee on Ways and Means
No. 79 Committee on Judiciary	No. 102	Committee on Human Resources, then to the Committee on Ways and Means
No. 80 Committee on Judiciary	No. 103	Committee on Human Resources, then to the Committee on Ways and Means
No. 81 Committee on Judiciary		

- No. 104 Committee on Human Resources, then to the Committee on Ways and Means
- No. 105 Committee on Human Resources, then to the Committee on Ways and Means
- No. 106 Committee on Human Resources, then to the Committee on Ways and Means
- No. 107 Committee on Human Resources, then to the Committee on Ways and Means
- No. 108 Committee on Human Resources, then to the Committee on Ways and Means
- No. 109 Committee on Ways and Means
- No. 110 Committee on Judiciary, then to the Committee on Ways and Means
- No. 111 Committee on Economic Development
- No. 112 Committee on Economic Development
- No. 113 Committee on Economic Development
- No. 114 Committee on Economic Development
- No. 115 Committee on Judiciary
- No. 116 Committee on Federal Relations, then to the Committee on Ways and Means
- No. 117 Committee on Federal Relations
- No. 118 Committee on Hawaiian Programs
- No. 119 Committee on Hawaiian Programs, then to the Committee on Ways and Means
- No. 120 Committee on Hawaiian Programs, then to the Committee on Ways and Means
- No. 121 Committee on Health
- No. 122 Committee on Judiciary
- No. 123 Committee on Health
- No. 124 Committee on Health
- No. 125 Committee on Judiciary
- No. 126 Committee on Health, then to the Committee on Ways and Means
- Means
- No. 127 Committee on Health, then to the Committee on Judiciary
- No. 128 Committee on Health, then to the Committee on Ways and Means
- No. 129 Committee on Health
- No. 130 Committee on Health
- No. 131 Committee on Economic Development
- No. 132 Committee on Agriculture, then to the Committee on Ways and Means
- No. 133 Committee on Ecology, Environment and Recreation
- No. 134 Committee on Ecology, Environment and Recreation
- No. 135 Committee on Ecology, Environment and Recreation
- No. 136 Committee on Ecology, Environment and Recreation
- No. 137 Committee on Economic Development
- No. 138 Committee on Economic Development
- No. 139 Committee on Ecology, Environment and Recreation
- No. 140 Committee on Economic Development
- No. 141 Committee on Economic Development
- No. 142 Committee on Ecology, Environment and Recreation
- No. 143 Committee on Human Resources
- No. 144 Committee on Human Resources
- No. 145 Committee on Human Resources
- No. 146 Committee on Human Resources
- No. 147 Committee on Human Resources
- No. 148 Committee on Human Resources
- No. 149 Committee on Human Resources

No. 150	Committee on Human Resources, then to the Committee on Ways and Means	No. 173	Committee on Consumer Protection and Commerce
No. 151	Committee on Economic Development	No. 174	Committee on Consumer Protection and Commerce
No. 152	Committee on Economic Development, then to the Committee on Ways and Means	No. 175	Committee on Consumer Protection and Commerce
No. 153	Committee on Housing and Urban Development	No. 176	Committee on Consumer Protection and Commerce
No. 154	Committee on Economic Development	No. 177	Committee on Consumer Protection and Commerce
No. 155	Committee on Economic Development, then to the Committee on Ways and Means	No. 178	Committee on Consumer Protection and Commerce
No. 156	Committee on Economic Development	No. 179	Committee on Consumer Protection and Commerce
No. 157	Committee on Consumer Protection and Commerce	No. 180	Committee on Consumer Protection and Commerce
No. 158	Committee on Consumer Protection and Commerce	No. 181	Committee on Consumer Protection and Commerce
No. 159	Committee on Consumer Protection and Commerce	No. 182	Committee on Consumer Protection and Commerce
No. 160	Committee on Consumer Protection and Commerce	No. 183	Committee on Consumer Protection and Commerce
No. 161	Committee on Consumer Protection and Commerce	No. 184	Committee on Consumer Protection and Commerce
No. 162	Committee on Consumer Protection and Commerce	No. 185	Committee on Consumer Protection and Commerce
No. 163	Committee on Consumer Protection and Commerce	No. 186	Committee on Consumer Protection and Commerce
No. 164	Committee on Economic Development	No. 187	Committee on Consumer Protection and Commerce
No. 165	Committee on Economic Development	No. 188	Committee on Consumer Protection and Commerce
No. 166	Committee on Consumer Protection and Commerce	No. 189	Committee on Consumer Protection and Commerce
No. 167	Committee on Housing and Urban Development	No. 190	Committee on Consumer Protection and Commerce
No. 168	Committee on Consumer Protection and Commerce	No. 191	Committee on Consumer Protection and Commerce
No. 169	Committee on Consumer Protection and Commerce	No. 192	Committee on Consumer Protection and Commerce
No. 170	Committee on Consumer Protection and Commerce	No. 193	Committee on Consumer Protection and Commerce
No. 171	Committee on Consumer Protection and Commerce	No. 194	Committee on Culture and Arts
No. 172	Committee on Consumer Protection and Commerce	No. 195	Committee on Economic Development
		No. 196	Committee on Judiciary

No. 197	Committee on Housing and Urban Development, then to the Committee on Ways and Means	No. 220	Committee on Transportation
No. 198	Committee on Human Resources	No. 221	Committee on Higher Education
No. 199	Committee on Housing and Urban Development	No. 222	Committee on Consumer Protection and Commerce
No. 200	Committee on Housing and Urban Development, then to the Committee on Ways and Means	No. 223	Committee on Judiciary
No. 201	Committee on Human Resources	No. 224	Committee on Education, then to the Committee on Ways and Means
No. 202	Committee on Housing and Urban Development	No. 225	Committee on Ways and Means
No. 203	Committee on Human Resources	No. 226	Committee on Tourism, then to the Committee on Ways and Means
No. 204	Committee on Human Resources	No. 227	Committee on Agriculture, then to the Committee on Economic Development
No. 205	Committee on Judiciary	No. 228	Committee on Economic Development, then to the Committee on Ways and Means
No. 206	Committee on Judiciary	No. 229	Committee on Human Resources, then to the Committee on Ways and Means
No. 207	Committee on Judiciary	No. 230	Committee on Consumer Protection and Commerce
No. 208	Committee on Human Resources, then to the Committee on Ways and Means	No. 231	Committee on Judiciary
No. 209	Committee on Human Resources	No. 232	Committee on Transportation
No. 210	Committee on Ways and Means	No. 233	Committee on Consumer Protection and Commerce
No. 211	Committee on Ways and Means	No. 234	Committee on Health, then to the Committee on Judiciary
No. 212	Committee on Economic Development, then to the Committee on Ways and Means	No. 235	Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
No. 213	Committee on Transportation, then to the Committee on Ways and Means	No. 236	Committee on Health
No. 214	Committee on Judiciary	No. 237	Committee on Judiciary
No. 215	Committee on Transportation, then to the Committee on Ways and Means	No. 238	Committee on Consumer Protection and Commerce, then to the Committee on Judiciary
No. 216	Committee on Transportation	No. 239	Committee on Judiciary, then to the Committee on Ways and Means
No. 217	Committee on Transportation	No. 240	Committee on Judiciary
No. 218	Committee on Transportation	No. 241	Committee on Judiciary
No. 219	Committee on Transportation	No. 242	Committee on Consumer Protection and Commerce

ADJOURNMENT

At 11:47 o'clock a.m., on motion by
Senator Cobb, seconded by Senator

Soares and carried, the Senate ad-
journed until 11:30 o'clock a.m.,
Friday, January 28, 1983.

EIGHTH DAY

Friday, January 28, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983 was called to order at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Father Paul Flynn, Pastor, Star of the Sea Church, after which the Roll was called showing all Senators present with the exception of Senators Aki, A. Kobayashi and Toguchi, who were excused.

The Chair announced that he had read and approved the Journal of the Seventh Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 57 and 58) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 57) transmitting copies of a report prepared by the Department of the Attorney General of all tort claims arbitrated, compromised, or settled for \$2,000 or less during the fiscal year ending June 30, 1982, submitted pursuant to Section 662-11, HRS, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 58) transmitting copies of a report prepared by the Department of Health, entitled: "Report to the Twelfth Legislature (1983 Session) on the Implementation of the State Uniform Controlled Substances Act," submitted pursuant to Section 329-11, HRS, was referred to the Committee on Health.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 2) transmitting House Concurrent Resolution No. 37, which was adopted by the House of Representatives on January 27, 1983, was read by the Clerk and was placed on file.

On motion by Senator Kuroda, seconded by Senator Henderson and carried, H.C.R. No. 37 specifying the dates of the mandatory recess for the Regular Session of 1983, pursuant to Article III, Section 10, of the Constitution of the State of Hawaii, to be the 22nd, 23rd, 24th, 25th and the 28th days of February 1983, was adopted.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 16), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE HAWAII PENAL CODE," was offered by Senators Chang, Kuroda, Cobb, Henderson, Yamasaki, Uwayne, Mizuguchi, Machida, Aki, Fernandes Salling, B. Kobayashi, Young, Holt, Kawasaki, Ajifu, A. Kobayashi, Carpenter, Soares, Solomon, Hagino, Cayetano, Wong, Toguchi, George and Abercrombie, and was read by the Clerk.

By unanimous consent, S.C.R. No. 16 was referred to the Committee on Judiciary.

INTRODUCTION OF SENATE BILLS

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print, and were placed on the calendar for further consideration on Monday, January 31, 1983:

Senate Bills

No. 298 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Uwayne.

No. 299 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."

Introduced by: Senator B. Kobayashi.

No. 300 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ALARM SYSTEMS."

Introduced by: Senator B. Kobayashi.

No. 301 "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION."

Introduced by: Senator B. Kobayashi.

No. 302 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senator B. Kobayashi.

No. 303 "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY."

Introduced by: Senators A. Kobayashi, Kawasaki, George, B. Kobayashi, Holt, Fernandes Salling, Machida, Ajifu, Cayetano, Yamasaki, Solomon, Hagino, Uwayne, Abercrombie, Mizuguchi, Chang and Carpenter.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 5) informing the Senate that Senate Concurrent Resolution No. 16 and Senate Bill Nos. 243 to 297 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

MATTERS DEFERRED
FROM JANUARY 27, 1983

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were introduced on Thursday, January 27, 1983:

S.C.R. Referred to:

No. 6 Committee on Ecology, Environment and Recreation, then to the Committee on Economic Development, then to the Committee on Ways and Means

No. 14 Committee on Human Resources

No. 15 Committee on Human Resources

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were introduced on Thursday, January 27, 1983:

S.R. Referred to:

No. 6 Committee on Human Resources

No. 7 Committee on Human Resources, then to the Committee on Legislative Management

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Thursday, January 27, 1983:

Senate Bills Referred to:

No. 243 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means

No. 244 Committee on Economic Development, then to the Committee on Ways and Means

No. 245 Committee on Economic Development, then to the Committee on Ways and Means

No. 246 Committee on Economic Development, then to the Committee on Ways and Means

No. 247 Committee on Consumer Protection and Commerce

No. 248 Committee on Judiciary

No. 249 Jointly to the Committee on Economic Development and the Committee on Ecology, Environment and Recreation

No. 250 Committee on Economic Development, then to the Committee on Ways and Means

No. 251 Committee on Economic Development, then to the Committee on Ways and Means

No. 252 Committee on Housing and Urban Development, then to the Committee on Economic Development

No. 253 Committee on Housing and Urban Development

No. 254 Committee on Housing and Urban Development

No. 255 Committee on Judiciary

No. 256 Committee on Judiciary

No. 257 Committee on Legislative Management

No. 258 Committee on Judiciary

No. 259 Committee on Judiciary

No. 260 Committee on Judiciary

No. 261 Committee on Judiciary

No. 262 Committee on Judiciary

No. 263 Committee on Judiciary

No. 264	Committee on Judiciary	Protection and Commerce
No. 265	Committee on Judiciary	No. 288 Committee on Consumer Protection and Commerce
No. 266	Committee on Judiciary	No. 289 Committee on Housing and Urban Development, then to the Committee on Judiciary
No. 267	Committee on Judiciary	No. 290 Committee on Judiciary
No. 268	Committee on Judiciary	No. 291 Committee on Judiciary
No. 269	Committee on Transportation	No. 292 Committee on Judiciary
No. 270	Committee on Transportation	No. 293 Committee on Judiciary
No. 271	Committee on Legislative Management	No. 294 Committee on Government Operations and County Relations, then to the Committee on Judiciary
No. 272	Committee on Housing and Urban Development	No. 295 Committee on Education, then to the Committee on Ways and Means
No. 273	Committee on Tourism, then to the Committee on Ways and Means	No. 296 Committee on Judiciary
No. 274	Committee on Tourism, then to the Committee on Ways and Means	No. 297 Committee on Judiciary
No. 275	Committee on Education, then to the Committee on Judiciary	The President then stated:
No. 276	Committee on Education	"The Chair would just like to make two observations. First, to commend the members on the number of bills being introduced as of yesterday afternoon. I understand that there were 297 bills introduced as of 4:30 p.m. yesterday, of which 136 were administrative measures. Thank you for your restraint. Keep it up.
No. 277	Committee on Agriculture	"Second, the Chair would like to ask the chairmen of the subject matter committees dealing with the functional plans, as soon as you settle down, to give some priority to having hearings on them. The accompanying bill has been referred to two separate committees and it will take some time to get it through. I would like to see the Senate act on the functional plans in a coordinated manner. With your indulgence in the subject matter areas, I hope you can find your way clear to having hearings on the Senate concurrent resolutions."
No. 278	Committee on Ways and Means	ADJOURNMENT
No. 279	Committee on Housing and Urban Development, then to the Committee on Ways and Means	At 11:45 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, January 31, 1983.
No. 280	Committee on Human Resources, then to the Committee on Ways and Means	
No. 281	Committee on Judiciary	
No. 282	Committee on Housing and Urban Development, then to the Committee on Judiciary	
No. 283	Committee on Judiciary	
No. 284	Committee on Housing and Urban Development, then to the Committee on Judiciary	
No. 285	Committee on Consumer Protection and Commerce	
No. 286	Committee on Consumer Protection and Commerce	
No. 287	Committee on Consumer	

NINTH DAY

Monday, January 31, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by Lieutenant James Harwood, CHC - United States Navy, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie and Wong who were excused.

The Chair announced that he had read and approved the Journal of the Eighth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 59 to 61) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 59) transmitting the Annual Report, 1981/1982, of the State Foundation on Culture and the Arts, was referred to the Committee on Culture and Arts.

A message from the Governor (Gov. Msg. No. 60), dated January 26, 1983, advising the Senate as follows:

"Pursuant to Section 14 of Act 264, Session Laws of Hawaii 1982, the Governor is authorized to correct 'manifest clerical, typographical or other mechanical errors' found in said Act. Section 14 mandates that changes made pursuant to this section be reported to the Legislature.

"Please be advised that on July 15, 1982, I made such a correction on page 189 of Act 264 by lining out the designation 'Section 6' and the introductory language of the new section 103A as being repetitious of earlier language. A copy of the correction made is attached."

was placed on file.

A message from the Governor (Gov. Msg. No. 61) transmitting a report prepared by the Department of Health, in response to House Resolution No. 36 (1982), concerning the establishment of a burn treatment center in the State of Hawaii, was referred to the Committee on Health.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 3 to 5), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 3) transmitting House Concurrent Resolution No. 39, which was adopted by the House of Representatives on January 27, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 39, entitled: "HOUSE CONCURRENT RESOLUTION HONORING THE MEMORY OF PAUL 'BEAR' BRYANT AND EXTENDING CONDOLENCES AND DEEPEST SYMPATHIES TO HIS FAMILY," was adopted.

A communication from the House (Hse. Com. No. 4) transmitting House Bill No. 2, H.D. 1, which passed Third Reading in the House of Representatives on January 31, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 5) transmitting House Bill No. 3, H.D. 1, which passed Third Reading in the House of Representatives on January 31, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 3, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION," passed First Reading by title and was referred to the Committee on Ways and Means.

INTRODUCTION OF BILLS

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Tuesday, February 1, 1983:

Senate Bills

No. 304 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Senators A. Kobayashi, Henderson, Soares, George and Ajifu.

No. 305 "A BILL FOR AN ACT RELATING TO BICYCLES."

Introduced by: Senator Uwaine.

No. 306 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH."

Introduced by: Senators B. Kobayashi, George, Machida and Young.

No. 307 "A BILL FOR AN ACT RELATING TO ABOLISHMENT OF THE PREMARITAL RUBELLA AND SYPHILIS TEST."

Introduced by: Senators Cayetano and Machida.

No. 308 "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS."

Introduced by: Senator Cayetano.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 6) informing the Senate that Senate Bill Nos. 298 to 303 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator Cobb and

carried, the report of the Committee was adopted.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Friday, January 28, 1983:

Senate Bills Referred to:

No. 298 Committee on Human Resources

No. 299 Committee on Judiciary

No. 300 Committee on Transportation

No. 301 Committee on Judiciary

No. 302 Committee on Health, then to the Committee on Ways and Means

No. 303 Committee on Consumer Protection and Commerce

At 11:40 o'clock a.m. the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:41 o'clock a.m.

ADJOURNMENT

At 11:42 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, February 1, 1983.

TENTH DAY

Tuesday, February 1, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Elden Buck, Senior Minister, Korean Christian Church, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Ninth Day.

At this time, Senator A. Kobayashi rose and stated:

"Mr. President, I'd like to introduce two gentlemen from the Hawaii Chapter of the American Red Cross.

"Whenever a disaster hits our state, such as Hurricane Iwa, the American Red Cross steps in and provides food, shelter, clothing, and whatever else is necessary. In the case of Hurricane Iwa, the Red Cross spent over \$2 million.

"So, I'd like to recognize the two very distinguished gentlemen, General Fred Weyand, who is the president of our board of directors, and Dr. John Henry Felix, a very outstanding volunteer, both locally and nationally."

At 11:40 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:43 o'clock a.m.

At this time, Senator B. Kobayashi rose and stated:

"Mr. President, may I make a comment on our last two visitors.

"I just learned this morning that the Red Cross has received approximately \$1.2 million, which is the largest Red Cross local contribution ever generated by a local chapter for disaster relief. This was larger than the monies contributed to the local chapters of New York City and Baltimore when they had major disasters.

"So again, it seems that there is a real 'aloha spirit' in this State of Hawaii."

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 62 and 63) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 62) transmitting a report prepared by the Department of Health, in response to the following respective resolutions adopted in 1982:

1. Senate Resolution No. 55 requesting the Commission on the Handicapped to establish an interim committee to study and submit a policy proposal for a model state law providing interpreter services for the hearing impaired; and

2. House Resolution No. 56 requesting a review of state and county policies and procedures relating to parking for the handicapped;

was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 63) transmitting a report prepared by the Department of Labor and Industrial Relations, entitled: "Report to the 1983 Legislature, January 1983, on the Quick Kokua Program, Farrington High School, Waianae High School," was referred to the Committee on Human Resources.

DEPARTMENTAL COMMUNICATION

A communication from the Department of Agriculture (Dept. Com. No. 19) transmitting copies of a report, "Statewide Agricultural Park Action Plan: Phase I, Program Assessment," prepared by H. Mogi Planning and Research, Inc. for the Governor's Agriculture Coordinating Committee in response to authorization of the Tenth Legislature, 1980 Regular Session, Section 8(5) of Act 300, was read by the Clerk and was referred to the Committee on Agriculture.

INTRODUCTION OF SENATE BILLS

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print, and were placed on the calendar for further consideration on Wednesday, February 2, 1983:

Senate Bills

No. 309 "A BILL FOR AN ACT RELATING TO EARTHQUAKES."

Introduced by: Senators Kawasaki, Cayetano, Holt, Cobb, A. Kobayashi, Ajifu, Carpenter and Fernandes Salling.

No. 310 "A BILL FOR AN ACT RELATING TO DRIVERS."

Introduced by: Senators Kawasaki, Cobb, Solomon, Aki, Carpenter, Ajifu, Fernandes Salling, Henderson, A. Kobayashi, Holt and Machida.

No. 311 "A BILL FOR AN ACT RELATING TO FISHING IN CERTAIN WATERS."

Introduced by: Senator Carpenter, by request and Senators Kuroda, George, Yamasaki, Cayetano, Hagino, A. Kobayashi, Soares, Aki, Toguchi, Machida and Kawasaki.

No. 312 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Senators Carpenter, Kuroda, Cobb, Kawasaki, Henderson, Aki, Yamasaki, Toguchi and Machida.

No. 313 "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS AND EXPENDITURES."

Introduced by: Senators Carpenter, Cayetano, Kuroda, A. Kobayashi, Henderson, Aki, Yamasaki, Toguchi, Machida and Kawasaki.

No. 314 "A BILL FOR AN ACT RELATING TO JURIES."

Introduced by: Senators Carpenter, Cayetano, Kuroda, A. Kobayashi, Soares, Cobb, Henderson, Aki, Yamasaki, Toguchi, Machida and Kawasaki.

No. 315 "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS."

Introduced by: Senators Carpenter, Cayetano, Kuroda, A. Kobayashi, Soares, Cobb, Henderson, Aki, Yamasaki, Machida and Kawasaki.

No. 316 "A BILL FOR AN ACT RELATING TO THE BUREAU OF CONVEYANCES."

Introduced by: Senators Carpenter, Cayetano, Kuroda, A. Kobayashi, Soares, Cobb, Henderson, Aki,

Yamasaki, Toguchi, Machida and Kawasaki.

No. 317 "A BILL FOR AN ACT RELATING TO EVIDENCE."

Introduced by: Senators Carpenter, Kuroda, A. Kobayashi, Cobb, Henderson, Aki, Yamasaki, Toguchi, Machida and Kawasaki.

No. 318 "A BILL FOR AN ACT RELATING TO PROBATION FUNCTIONS."

Introduced by: Senators Carpenter, Kuroda, Henderson, Aki and Abercrombie.

No. 319 "A BILL FOR AN ACT RELATING TO CAMPAIGN EXPENDITURES."

Introduced by: Senators Carpenter, Henderson, Aki, Yamasaki, Machida, Kawasaki and Abercrombie.

No. 320 "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY AND FITNESS."

Introduced by: Senators Carpenter, Kuroda, Aki, Yamasaki, Toguchi, Machida, Kawasaki and Abercrombie.

No. 321 "A BILL FOR AN ACT RELATING TO POST RETIREMENT ALLOWANCES."

Introduced by: Senator Solomon, by request.

No. 322 "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE REFERENCE BUREAU."

Introduced by: Senators Solomon, Toguchi, A. Kobayashi, Uwayne, Cobb, Chang and Fernandes Salling.

No. 323 "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS."

Introduced by: Senator Solomon, by request.

No. 324 "A BILL FOR AN ACT RELATING TO BEES."

Introduced by: Senators Solomon, Toguchi, A. Kobayashi, Uwayne, Chang, B. Kobayashi, Hagino and Fernandes Salling.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 7) informing the Senate that Senate Bill

Nos. 304 to 308 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Monday, January 31, 1983:

Senate Bills Referred to:

- | | |
|---------|--|
| No. 304 | Committee on Judiciary |
| No. 305 | Committee on Transportation |
| No. 306 | Committee on Health, then to the Committee on Ways and Means |
| No. 307 | Committee on Health |
| No. 308 | Committee on Housing and Urban Development, then to the Committee on Judiciary |

At this time, Senator Abercrombie rose and stated:

"Mr. President, just a question. I notice that on the referral sheet that there are a good many bills that are going to the Legislative Management Committee, and they continue day after day to go to the Legislative Management Committee, and I am reluctant to turn in my bills, or at least what I think are my bills, or what are going to be my bills if they are going to the Legislative Management Committee.

"I just wonder if there's going to be any directive, written or otherwise that is going to help clear this up for us."

The Chair then replied:

"Yes, there will be a directive out of the President's Office clarifying the matter."

ADJOURNMENT

At 11:50 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 2, 1983.

ELEVENTH DAY

Wednesday, February 2, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:45 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Captain Lee M. Thompson, Chaplain, United States Air Force, after which the Roll was called showing all Senators present with the exception of Senators Carpenter and Kuroda who were excused.

The Chair announced that he had read and approved the Journal of the Tenth Day.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 64) transmitting a report on the Hawaii Fisheries Coordinating Council (November 1980 - June 1982) which was established in 1980, pursuant to Act 282, prepared by the Department of Land and Natural Resources, was read by the Clerk and was referred to the Committee on Economic Development.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 17 and 18) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 17), entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE CONTINUED GROWTH OF THE BEE INDUSTRY IN HAWAII AND REQUESTING THE LEASING OF PUBLIC LAND FOR BEEKEEPING PURPOSES," was offered by Senators Solomon, Toguchi, A. Kobayashi, Uwaine, Cobb, Chang, B. Kobayashi, Hagino and Fernandes Salling.

By unanimous consent, S.C.R. No. 17 was referred to the Committee on Agriculture.

A concurrent resolution (S.C.R. No. 18), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING STATE AND COUNTY AGENCIES ISSUING PUBLIC CONTRACTS TO INFORM CONTRACTORS OF THE LAWS ALLOWING THE SUBSTITUTION OF RETAINAGE WITH GENERAL OBLIGATION BONDS," was offered by Senators B. Kobayashi, Uwaine, Aki, Chang, Young, Cobb, Mizuguchi, Hagino, Cayetano, Machida, Kuroda and Kawasaki.

By unanimous consent, S.C.R. No. 18 was referred to the Committee on Government Operations and County Relations.

SENATE RESOLUTION

A resolution (S.R. No. 8), entitled: "SENATE RESOLUTION REQUESTING STATE AND COUNTY AGENCIES ISSUING PUBLIC CONTRACTS TO INFORM CONTRACTORS OF THE LAWS ALLOWING THE SUBSTITUTION OF RETAINAGE WITH GENERAL OBLIGATION BONDS," was offered by Senators B. Kobayashi, Uwaine, Aki, Chang, Young, Cobb, Mizuguchi, Hagino, Cayetano, Machida, Kuroda and Kawasaki, and was read by the Clerk.

By unanimous consent, S.R. No. 8 was referred to the Committee on Government Operations and County Relations.

INTRODUCTION OF BILLS

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Thursday, February 3, 1983:

Senate Bills

No. 325 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Senators Young, by request, and Machida.

No. 326 "A BILL FOR AN ACT RELATING TO TRANSIENT VACATION RENTALS."

Introduced by: Senators Young, Machida and Carpenter.

No. 327 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senators Young, Machida, Carpenter, Solomon and Holt.

No. 328 "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS."

Introduced by: Senators Young, Holt, Machida, Carpenter, Cayetano, Solomon and Fernandes

- Salling.
- No. 329 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Senators Young, Solomon and Holt.
- No. 330 "A BILL FOR AN ACT RELATING TO EMPLOYER VIOLATIONS OF A COLLECTIVE BARGAINING AGREEMENT."
Introduced by: Senator Wong, by request.
- No. 331 "A BILL FOR AN ACT RELATING TO ACCIDENTAL INJURY LEAVE."
Introduced by: Senator Wong, by request.
- No. 332 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES HEALTH FUND AND AMENDING CHAPTER 87, HAWAII REVISED STATUTES."
Introduced by: Senator Wong, by request.
- No. 333 "A BILL FOR AN ACT RELATING TO LEAVES OF ABSENCE ABSENCE OF PUBLIC OFFICERS AND EMPLOYEES."
Introduced by: Senator Wong, by request.
- No. 334 "A BILL FOR AN ACT RELATING TO NONCOMPETITIVE PROMOTIONS OF PUBLIC OFFICERS AND EMPLOYEES."
Introduced by: Senator Wong, by request.
- No. 335 "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE LAW ON SUSPENSIONS, DISMISSALS, DEMOTIONS, AND EMPLOYEE STATUS PENDING AN INVESTIGATION OF CHARGES."
Introduced by: Senator Wong, by request.
- No. 336 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE."
Introduced by: Senator Wong, by request.
- No. 337 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."
Introduced by: Senator Wong, by request.
- No. 338 "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES."
Introduced by: Senator Wong, by request.
- No. 339 "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING."
Introduced by: Senator Wong, by request.
- No. 340 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."
Introduced by: Senator Wong, by request.
- No. 341 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."
Introduced by: Senator Wong, by request.
- No. 342 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."
Introduced by: Senator Wong, by request.
- No. 343 "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES."
Introduced by: Senator Wong, by request.
- No. 344 "A BILL FOR AN ACT RELATING TO EMPLOYEES IN CERTAIN EXEMPT POSITIONS IN THE PLANNING AND DEVELOPMENT OFFICE OF THE DEPARTMENT OF AGRICULTURE."
Introduced by: Senator Wong, by request.
- No. 345 "A BILL FOR AN ACT RELATING TO CERTAIN EMPLOYEES IN THE DIVISION OF MILK CONTROL OF THE DEPARTMENT OF AGRICULTURE."
Introduced by: Senator Wong, by request.
- No. 346 "A BILL FOR AN ACT RELATING TO PLANT QUARANTINE INSPECTORS OF THE DEPARTMENT OF AGRICULTURE."
Introduced by: Senator Wong, by request.

No. 347 "A BILL FOR AN ACT
RELATING TO USE OF FIREARMS."

Introduced by: Senator Wong, by
request.

No. 348 "A BILL FOR AN ACT
RELATING TO SHOPLIFTING."

Introduced by: Senator Wong, by
request.

No. 349 "A BILL FOR AN ACT
RELATING TO THE HAWAII
ADMINISTRATIVE PROCEDURE
ACT."

Introduced by: Senator Wong, by
request.

No. 350 "A BILL FOR AN ACT
RELATING TO THE DEPARTMENT
OF THE ATTORNEY GENERAL."

Introduced by: Senator Wong, by
request.

No. 351 "A BILL FOR AN ACT
RELATING TO FINANCIAL
INSTITUTION RECORDS."

Introduced by: Senator Wong, by
request.

No. 352 "A BILL FOR AN ACT
RELATING TO IMITATION
CONTROLLED SUBSTANCES."

Introduced by: Senator Wong, by
request.

No. 353 "A BILL FOR AN ACT
RELATING TO DRUG
PARAPHERNALIA."

Introduced by: Senator Wong, by
request.

No. 354 "A BILL FOR AN ACT
RELATING TO THE PENAL CODE."

Introduced by: Senator Wong, by
request.

No. 355 "A BILL FOR AN ACT
RELATING TO BAIL JUMPING."

Introduced by: Senator Wong, by
request.

No. 356 "A BILL FOR AN ACT
RELATING TO POST CONVICTION
PROCEEDINGS."

Introduced by: Senator Wong, by
request.

No. 357 "A BILL FOR AN ACT
RELATING TO JUVENILES."

Introduced by: Senator Wong, by

request.

No. 358 "A BILL FOR AN ACT
RELATING TO PRINCIPLES OF
JUSTIFICATION UNDER THE
HAWAII PENAL CODE."

Introduced by: Senator Wong, by
request.

No. 359 "A BILL FOR AN ACT
RELATING TO FOODS, DRUGS,
AND COSMETICS."

Introduced by: Senator Wong, by
request.

No. 360 "A BILL FOR AN ACT
RELATING TO EMPLOYMENT OF
PATIENTS AT FACILITIES FOR
THE TREATMENT OF PERSONS
SUFFERING FROM HANSEN'S
DISEASE."

Introduced by: Senator Wong, by
request.

No. 361 "A BILL FOR AN ACT
RELATING TO SCHOOL HEALTH
SERVICES PROGRAM."

Introduced by: Senator Wong, by
request.

No. 362 "A BILL FOR AN ACT
RELATING TO THE ENFORCEMENT
PROGRAM OF THE DEPARTMENT
OF LAND AND NATURAL
RESOURCES."

Introduced by: Senator Wong, by
request.

No. 363 "A BILL FOR AN ACT
RELATING TO THE FUNCTIONS OF
THE DEPARTMENT OF LAND AND
NATURAL RESOURCES."

Introduced by: Senator Wong, by
request.

No. 364 "A BILL FOR AN ACT
RELATING TO GENERAL EXCISE
TAX."

Introduced by: Senator Wong, by
request.

No. 365 "A BILL FOR AN ACT
RELATING TO TAXATION."

Introduced by: Senator Wong, by
request.

No. 366 "A BILL FOR AN ACT
RELATING TO THE COMMISSION
ON TRANSPORTATION."

Introduced by: Senator Wong, by
request.

No. 367 "A BILL FOR AN ACT RELATING TO DRIVING AND ALCOHOL."

Introduced by: Senator Wong, by request.

No. 368 "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION."

Introduced by: Senator Wong, by request.

No. 369 "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY LAW."

Introduced by: Senator Wong, by request.

No. 370 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senator Fernandes Salling.

No. 371 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS."

Introduced by: Senators Kawasaki, Abercrombie, Cayetano, Kuroda, Aki, Ajifu, Solomon, A. Kobayashi, Holt, Hagino and Fernandes Salling.

No. 372 "A BILL FOR AN ACT RELATING TO THE DEFINITION OF STANDARD BAR."

Introduced by: Senators Kawasaki, Carpenter, Toguchi, Solomon, Cayetano, Chang, Kuroda, Fernandes Salling, Aki, A. Kobayashi, Henderson, Hagino and Yamasaki.

No. 373 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senators Kawasaki, Carpenter, Toguchi, Solomon, Cayetano, Ajifu, Young, Fernandes Salling, Aki, B. Kobayashi, Uwaine, Hagino and Yamasaki.

No. 374 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS."

Introduced by: Senators Kawasaki, Abercrombie, Kuroda, Carpenter, Cayetano, Ajifu, A. Kobayashi, Solomon, Fernandes Salling and Holt.

No. 375 "A BILL FOR AN ACT TO AMEND SECTION 99-9, HAWAII REVISED STATUTES WITH RESPECT TO INVESTIGATIONS BY THE OMBUDSMAN."

Introduced by: Senator Uwaine.

No. 376 "A BILL FOR AN ACT TO AMEND CHAPTER 96, HAWAII REVISED STATUTES CONCERNING THE OMBUDSMAN, BY ADDING A SECTION EXEMPTING MATTERS CONCERNING PUBLIC EMPLOYMENT RELATIONS."

Introduced by: Senator Uwaine.

No. 377 "A BILL FOR AN ACT REPEALING CHAPTER 96, HAWAII REVISED STATUTES, REFERRING TO THE OMBUDSMAN."

Introduced by: Senator Uwaine.

No. 378 "A BILL FOR AN ACT TO APPLY THE PROVISIONS OF THE HAWAII ADMINISTRATIVE PROCEDURE ACT TO CHAPTER 96, THE OMBUDSMAN LAW."

Introduced by: Senator Uwaine.

No. 379 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX LAW."

Introduced by: Senators Yamasaki, by request, Machida, Solomon, Ajifu, Cobb, Carpenter, Uwaine, Kuroda, Soares, Cayetano, George, Henderson and Aki.

No. 380 "A BILL FOR AN ACT RELATING TO SOCIAL WORK."

Introduced by: Senators Yamasaki, by request, Solomon, Machida, Cobb, Carpenter, Kuroda, Cayetano, Kawasaki, Aki and Uwaine.

No. 381 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A FEED AND FORAGE PRODUCTION PROGRAM."

Introduced by: Senators Ajifu and Aki.

No. 382 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A DAIRY INDUSTRY ANALYSIS AND ACTION PROGRAM."

Introduced by: Senators Ajifu and Aki.

No. 383 "A BILL FOR AN ACT RELATING TO FEED."

Introduced by: Senators Toguchi, Solomon, Fernandes Salling, Hagino, Ajifu, Yamasaki, B. Kobayashi, Uwaine, Mizuguchi, Machida, Young, A. Kobayashi, Abercrombie, Aki, Chang, Henderson, George

and Cobb.

No. 384 "A BILL FOR AN ACT
RELATING TO AGRICULTURAL
LANDS."

Introduced by: Senators Toguchi, Solomon, Fernandes Salling, Hagino, Ajifu, Uwayne, Machida, A. Kobayashi, Abercrombie, Aki, Cobb and Chang.

No. 385 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR
SUGAR RESEARCH AND
DEVELOPMENT."

Introduced by: Senators Toguchi, Solomon, Carpenter, Fernandes Salling, Chang, Ajifu, Aki, Hagino, George, Kawasaki, Henderson, Cayetano, Yamasaki, Abercrombie, Uwayne, Mizuguchi, Machida, Young and A. Kobayashi.

No. 386 "A BILL FOR AN ACT
RELATING TO AGRICULTURAL
PLANNING AND DEVELOPMENT."

Introduced by: Senators Toguchi, Solomon, Fernandes Salling, Chang, Ajifu, Aki, Hagino, George, Cobb, Abercrombie, B. Kobayashi, A. Kobayashi, Kawasaki, Cayetano, Carpenter, Yamasaki, Uwayne, Mizuguchi and Machida.

No. 387 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR
THE PROMOTION OF PINEAPPLES."

Introduced by: Senators Toguchi, Solomon, Fernandes Salling, Chang, Ajifu, Aki, Hagino, George, Henderson, Cayetano, Carpenter, Yamasaki, Uwayne, Mizuguchi, Machida, Young, A. Kobayashi and Abercrombie.

No. 388 "A BILL FOR AN ACT
RELATING TO AGRICULTURAL
PRODUCT PROMOTION."

Introduced by: Senators Toguchi, Solomon, Fernandes Salling, Chang, Ajifu, Mizuguchi, Carpenter, Hagino, Aki, George, Abercrombie, A. Kobayashi, Uwayne, Young, Cayetano, B. Kobayashi, Henderson, Kawasaki, Machida and Yamasaki.

SPECIAL COMMITTEE REPORT

Senator Cayetano, Chairman of the Special Committee to Investigate the Problem of the Pesticide Heptachlor in Locally Produced Milk, presented a report (Spec. Com. Rep. No. 3) of its findings, conclusions and recommendations, was read by the

Clerk and was placed on file.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 8) informing the Senate that Special Committee Report No. 3, Senate Concurrent Resolution Nos. 17 and 18, Senate Resolution No. 8, Standing Committee Report No. 9, and Senate Bill Nos. 309 to 324 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

At 11:48 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 o'clock a.m.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 9) recommending that House Bill No. 2, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 3, 1983.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Tuesday, February 1, 1983:

Senate Bills Referred to:

No. 309 Committee on Govern-
ment Operations and County
Relations

No. 310 Committee on Trans-
portation

No. 311 Committee on Ecology,
Environment and Recreation

No. 312	Committee on Judiciary	Resources, then to the Committee on Ways and Means
No. 313	Committee on Judiciary	
No. 314	Committee on Judiciary	No. 322 Committee on Legislative Management
No. 315	Committee on Judiciary	No. 323 Committee on Human Resources, then to the Committee on Ways and Means
No. 316	Committee on Consumer Protection and Commerce	
No. 317	Committee on Judiciary	No. 324 Committee on Agriculture
No. 318	Committee on Judiciary, then to the Committee on Ways and Means	
No. 319	Committee on Judiciary	
No. 320	Committee on Judiciary	
No. 321	Committee on Human	

ADJOURNMENT

At 11:53 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, February 3, 1983.

TWELFTH DAY

Thursday, February 3, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend William Petty of the Waikiki Baptist Church, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie, Ajifu, Machida and Toguchi who were excused.

The Chair announced that he had read and approved the Journal of the Eleventh Day.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 65) transmitting copies of the Progressive Neighborhoods Program Annual Report (November 1982), prepared by the Progressive Neighborhoods Task Force submitted pursuant to Chapter 362-2, HRS, was read by the Clerk and was referred to the Committee on Youth and Elderly Affairs.

INTRODUCTION OF SENATE BILLS

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Friday, February 4, 1983:

Senate Bills

No. 389 "A BILL FOR AN ACT RELATING TO CHILD PASSENGER RESTRAINTS."

Introduced by: Senators B. Kobayashi, Cayetano, Yamasaki, Solomon, Uwaine, Mizuguchi, Young, Holt, Hagino, Aki, George, Abercrombie, A. Kobayashi, Ajifu, Henderson and Soares.

No. 390 "A BILL FOR AN ACT RELATING TO HARBORS."

Introduced by: Senator Uwaine.

No. 391 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE II, III, AND XVII OF THE CONSTITUTION OF THE STATE OF HAWAII TO PROVIDE FOR THE INITIATIVE."

Introduced by: Senators George,

Soares, A. Kobayashi and Henderson.

No. 392 "A BILL FOR AN ACT RELATING TO THE PURPOSE OF SENTENCING."

Introduced by: Senators Kuroda, Kawasaki, Abercrombie, Machida, Soares, Carpenter, B. Kobayashi, Holt, Aki, Henderson, Solomon, Toguchi, Cobb, Young and Wong.

No. 393 "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES."

Introduced by: Senators Kuroda, George, Ajifu, Machida, Soares, Abercrombie, Holt, Uwaine, Solomon, Carpenter, Henderson, Cobb, B. Kobayashi, Hagino, Aki, Yamasaki, Chang, Cayetano, Mizuguchi, Toguchi, Young, Fernandes Salling and Wong.

No. 394 "A BILL FOR AN ACT RELATING TO REGISTRATION OF CONVICTED PERSONS."

Introduced by: Senators Kuroda, Carpenter, Kawasaki, Henderson, Solomon, Machida, Soares, Ajifu, Cobb, Toguchi, Hagino, Chang, A. Kobayashi, Holt, Aki, Young, Fernandes Salling, Abercrombie, George and Wong.

No. 395 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senators Soares, Ajifu, A. Kobayashi, Henderson, Chang, Aki, Cobb and George.

No. 396 "A BILL FOR AN ACT RELATING TO CAPITAL CRIMES."

Introduced by: Senators Kuroda, A. Kobayashi, Solomon, Kawasaki, Carpenter, Ajifu, Cobb, Abercrombie, Aki, Henderson, Yamasaki and Toguchi.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 10) informing the Senate that Senate Bill Nos. 325 to 388 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee

was adopted.

ORDER OF THE DAY

THIRD READING

House Bill No. 2, H.D. 1:

Senator Yamasaki, moved that H.B. No. 2, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

At this time, Senator Kawasaki rose and addressed the members of the Senate as follows:

"Mr. President, while I reluctantly vote for this bill providing appropriations of the relevant agencies, I feel compelled to enter into the pages of the Senate Journal my concern that the allocations provided for in the bill for the two agencies, the Office of the Ombudsman and the Office of the Ethics Commission, are much too high.

"I think you have, and the Legislature has, and the Governor has, very appropriately expressed a concern about the fiscal picture for our state in the next two years. I am very much inclined to support the Governor in his budgetary cut edicts to the Departments and I will keep an open mind and examine some of the budgets in the coming hearings.

"In view of our voiced concern, it seems to me that the allocations made to both of these agencies are much too large. I would have hoped that we could have reduced the amounts allocated to the Office of the Ombudsman and the Ethics Commission perhaps by one-third, because I did not think this kind of reduction would materially affect the efficacy or the operations of both of these two agencies.

"I accept responsibility for having created these two offices in my freshman year some sixteen years ago, by being the principal sponsor of the Ombudsman Act, and co-sponsor of the Ethics Commission Bill and committee chairman who reported both of these bills out and made speeches urging the creation of these two agencies.

"However, we did not, at that time, anticipate the Ethics Commission's office costs, which we established at \$25,000 per year at the time we created the office, to approach \$150,000 as it does today. I may be a little off on the figures as provided in this bill.

"I did not expect the Ombudsman's office to cost in excess of \$350,000 a year.

"One of the items that bothered me when I examined their budget was a provision, for example, which in addition to the \$50,000 a year salary provided for the Ombudsman, a provision of a \$47,500 salary for a Deputy Ombudsman.

"As author of the bill, I never intended that there be a deputy at this kind of cost to the taxpayers!

"In any case, the bill is before us. I know that I will not be able to prevail upon the members of the Senate to reconsider the budgetary allocations. Perhaps it behooves us in the next session to examine the operations and the budgetary allocations to these two agencies carefully because it behooves us to set the tone today, in this first bill involving expenses, to at least, set the tone for what we expect in the way of fiscal constraints that we have got to exercise.

"With this admonishment, I very reluctantly vote for this bill.

"Thank you."

Senator Soares then rose and stated:

"Mr. President, I rise to speak in favor of the bill with one proviso, and that is I should say, in following my colleagues's words, 'for the Journal,' that should he desire to make a motion in the next session to delete the Ombudsman, I'd be glad to second it."

Senator Kawasaki then replied:

"Mr. President, in response to the previous speaker, I did not advocate the abolition of the office. I just expressed the concern that perhaps we could operate with a lesser amount very effectively."

The motion was put by the Chair and carried and H.B. No. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Abercrombie, Ajifu, Machida and

Toguchi).

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Wednesday, February 2, 1983:

Senate Bills Referred to:

No. 325	Committee on Housing and Urban Development	No. 345	Committee on Human Resources, then to the Committee on Ways and Means
No. 326	Committee on Consumer Protection and Commerce	No. 346	Committee on Human Resources, then to the Committee on Ways and Means
No. 327	Committee on Legislative Management	No. 347	Committee on Judiciary
No. 328	Committee on Housing and Urban Development	No. 348	Committee on Judiciary
No. 329	Committee on Ways and Means	No. 349	Committee on Judiciary
No. 330	Committee on Human Resources	No. 350	Committee on Judiciary, then to the Committee on Ways and Means
No. 331	Committee on Human Resources	No. 351	Committee on Human Resources, then to the Committee on Consumer Protection and Commerce
No. 332	Committee on Human Resources	No. 352	Committee on Judiciary
No. 333	Committee on Human Resources	No. 353	Committee on Judiciary
No. 334	Committee on Human Resources	No. 354	Committee on Judiciary
No. 335	Committee on Human Resources	No. 355	Committee on Judiciary
No. 336	Committee on Human Resources	No. 356	Committee on Judiciary
No. 337	Committee on Human Resources	No. 357	Committee on Judiciary
No. 338	Committee on Human Resources, then to the Committee on Ways and Means	No. 358	Committee on Judiciary
No. 339	Committee on Human Resources, then to the Committee on Ways and Means	No. 359	Committee on Health
No. 340	Committee on Human Resources	No. 360	Committee on Health, then to the Committee on Ways and Means
No. 341	Committee on Human Resources	No. 361	Committee on Health
No. 342	Committee on Human Resources	No. 362	Committee on Ecology, Environment and Recreation
No. 343	Committee on Human Resources	No. 363	Committee on Ecology, Environment and Recreation
No. 344	Committee on Human Resources, then to the Committee on Ways and Means	No. 364	Committee on Health, then to the Committee on Ways and Means
		No. 365	Committee on Ways and Means
		No. 366	Committee on Transportation
		No. 367	Committee on Transportation
		No. 368	Jointly to the Committee on Transportation and the Committee on Education, then to the Committee on Ways and Means

No. 369	Committee on Transportation	Management
No. 370	Committee on Agriculture, then to the Committee on Ways and Means	No. 382 Committee on Legislative Management
No. 371	Committee on Agriculture	No. 383 Committee on Agriculture
No. 372	Committee on Government Operations and County Relations	No. 384 Committee on Agriculture
No. 373	Committee on Economic Development	No. 385 Committee on Legislative Management
No. 374	Committee on Agriculture	No. 386 Committee on Agriculture
No. 375	Committee on Legislative Management	No. 387 Committee on Legislative Management
No. 376	Committee on Legislative Management	No. 388 Committee on Agriculture
No. 377	Committee on Legislative Management	
No. 378	Committee on Legislative Management	
No. 379	Committee on Ways and Means	
No. 380	Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means	
No. 381	Committee on Legislative	

At this time, the President stated:

"The Chair would, once again, like to remind the subject matter committees on the Functional Plans to please give some consideration of setting up public hearings on the resolutions referred to you."

ADJOURNMENT

At 11:47 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 4, 1983.

THIRTEENTH DAY

Friday, February 4, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Gary Secor, Diocesan Director of Vocations, Catholic Diocese of Honolulu, after which the Roll was called showing all Senators present with the exception of Senators Aki, Machida and Mizuguchi who were excused.

The Chair announced that he had read and approved the Journal of the Twelfth Day.

Senator Holt then made the following introduction to the members of the Senate:

"Mr. President, on behalf of the Senate, I have the honor of introducing a friend to all of us, Mr. Ray Nagel, former athletic director of the University of Hawaii (UH). Mr. Nagel is in town to be honored at a testimonial dinner tonight, organized by many of his friends.

"In the six years Ray Nagel has been with the University athletic program, the term 'quality' has become synonymous with University sports.

"Although the football team has never attained the elusive Western Athletic Conference (WAC) title, it has captured the hearts and attention of thousands of fanatical tailgaters.

"Need I say more about the baseball team which has gained national recognition as a baseball powerhouse, but will have its hands full trying to keep the UH women's softball team out of its new facility.

"The current hot streak the Bows' basketball team is on right now reminds us of the days of the 'Fabulous Five' ... Henderson, Soares, George, Kobayashi and Ajifu.

"As for the Rainbow Wahines, what can we say. Down two sets to none, they come back to win the NCAA title. True grit at its finest. Now comes the hard part ... dresses, high heels and getting the men's team in shape.

"Ray was very instrumental in the construction of the beautiful physical

education complex in the quarry which every once in a while has to be tied down so it doesn't float away. But more importantly, he engineered the University's entry into the Western Athletic Conference.

"We wish Ray all the success as executive vice-president with the Los Angeles Rams. I guess it'll be more fun working with Georgia than 'Fudge.'

"On a parting note, I never figured Ray as the kind of guy who would give up eating steak for hamburger."

Mr. Nagel was presented with a Senate Certificate by Senator Holt and a lei by Senator Solomon.

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:45 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 66 to 68) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 66) transmitting various reports prepared by the Department of Land and Natural Resources, in response to the following respective resolutions adopted in 1982:

1. House Resolution No. 71, requesting the development of short- and long-range plans for water resources in the Kamuela area, dated December 1982, referred to the Committee on Economic Development;
2. House Resolution No. 172, requesting the Department of Land and Natural Resources to investigate methods to minimize adverse impacts to significant historical and archaeological sites, dated December 1982, referred to the Committee on Ecology, Environment and Recreation; and
3. House Resolution No. 321, requesting the Department of Land and Natural Resources to devise a more effective means of bringing certain dispositions of land or interests therein to the attention of the Legislature, dated December

1982, referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 67) transmitting the "Report on State Positions Assigned to Ranges SC-1, SC-2 and SC-3," dated January 28, 1983, prepared by the Department of Personnel Services, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 68) informing the Senate that on February 3, 1983, he signed House Bill No. 2 as Act 1, entitled: "MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," was placed on file.

INTRODUCTION OF BILLS

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Monday, February 7, 1983:

Senate Bills

No. 397 "A BILL FOR AN ACT RELATING TO JUVENILES."

Introduced by: Senators Soares, George, Henderson, Ajifu, Carpenter and Machida.

No. 398 "A BILL FOR AN ACT RELATING TO VOIR DIRE."

Introduced by: Senators Soares, Henderson, Ajifu, A. Kobayashi, Solomon, Carpenter, Machida and Mizuguchi.

No. 399 "A BILL FOR AN ACT RELATING TO WAIVER OF JURY."

Introduced by: Senators Soares, Henderson, Ajifu, A. Kobayashi, Solomon, Carpenter and Machida.

No. 400 "A BILL FOR AN ACT RELATING TO VERDICTS IN CRIMINAL CASES."

Introduced by: Senators Soares, Henderson, Ajifu, A. Kobayashi, Solomon, Carpenter, Machida and Mizuguchi.

No. 401 "A BILL FOR AN ACT RELATING TO DENTAL SERVICE CORPORATIONS."

Introduced by: Senators Toguchi,

Cobb, Fernandes Salling, Solomon, Carpenter, Kawasaki, Uwaine and Aki.

No. 402 "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS."

Introduced by: Senators A. Kobayashi, Young, Fernandes Salling, Abercrombie, Hagino, Uwaine, Kuroda, B. Kobayashi, George, Soares, Ajifu and Cobb.

No. 403 "A BILL FOR AN ACT RELATING TO DISASTER RELIEF."

Introduced by: Senators Fernandes Salling, Toguchi and Aki.

No. 404 "A BILL FOR AN ACT RELATING TO EMPLOYMENT AGENCIES."

Introduced by: Senators Aki, Hagino, Carpenter, Toguchi, Fernandes Salling, Holt, Chang, Solomon, Kuroda and Soares.

No. 405 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A PROGRAM AT THE UNIVERSITY OF HAWAII FOR PROMOTING BASIC RESEARCH IN THE BIOLOGICAL SCIENCES."

Introduced by: Senators Hagino and Aki.

No. 406 "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES AND COSTS AND EXPENSES OF LITIGATION."

Introduced by: Senators Henderson, George, Ajifu, A. Kobayashi and Soares.

No. 407 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senators Soares, A. Kobayashi, Henderson, Ajifu and George.

No. 408 "A BILL FOR AN ACT RELATING TO PRIVATE ENTERPRISE."

Introduced by: Senators Henderson, Soares, George, Ajifu and A. Kobayashi.

No. 409 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."

Introduced by: Senators Henderson, A. Kobayashi, Soares and Ajifu.

No. 410 "A BILL FOR AN ACT
RELATING TO UNEMPLOYMENT."

Introduced by: Senators Hender-
son, Ajifu, Soares and George.

No. 411 "A BILL FOR AN ACT
RELATING TO WORKERS'
COMPENSATION."

Introduced by: Senators Hender-
son, Ajifu, Soares, George and A.
Kobayashi.

No. 412 "A BILL FOR AN ACT
RELATING TO EMPLOYMENT
SECURITY."

Introduced by: Senators Hender-
son, Ajifu, Soares, George and A.
Kobayashi.

No. 413 "A BILL FOR AN ACT
RELATING TO AGREEMENTS OF
SALE."

Introduced by: Senators Henderson
and Soares.

No. 414 "A BILL FOR AN ACT
RELATING TO AGREEMENTS OF
SALE."

Introduced by: Senators Hender-
son, A. Kobayashi and Soares.

No. 415 "A BILL FOR AN ACT
RELATING TO THE GENERAL
EXCISE TAX."

Introduced by: Senators Hender-
son, Ajifu, Soares, George and A.
Kobayashi.

No. 416 "A BILL FOR AN ACT
RELATING TO TAXATION OF
RELATED CORPORATIONS."

Introduced by: Senators Hender-
son, Ajifu, Soares, George and A.
Kobayashi.

No. 417 "A BILL FOR AN ACT
RELATING TO TAXATION."

Introduced by: Senators Hender-
son, A. Kobayashi, George and
Ajifu.

No. 418 "A BILL FOR AN ACT
RELATING TO KONA AIRPORT."

Introduced by: Senators Hender-
son, Carpenter and Solomon.

At 11:47 o'clock a.m., the Senate
stood in recess subject to the call of
the Chair.

The Senate reconvened at 11:49

o'clock a.m.

STANDING COMMITTEE REPORT

Senator Young, for the Committee
on Legislative Management, presented
a report (Stand. Com. Rep. No. 11)
informing the Senate that Senate Bill
Nos. 389 to 396 have been printed
and have been distributed to the
members of the Senate.

On motion by Senator Young,
seconded by Senator George and
carried, the report of the Committee
was adopted.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following
committee assignments of bills that
were introduced on Thursday,
February 3, 1983:

Senate Bills Referred to:

- No. 389 Committee on Transpor-
tation
- No. 390 Committee on Transpor-
tation, then to the Committee on
Ways and Means
- No. 391 Committee on Judiciary
- No. 392 Committee on Judiciary
- No. 393 Committee on Health
- No. 394 Committee on Judiciary
- No. 395 Committee on Economic
Development, then to the Committee
on Ways and Means
- No. 396 Committee on Judiciary

MISCELLANEOUS COMMUNICATION

A communication from Bette Tatum,
chairman, Hawaii Small Business
Advisory Committee (Misc. Com. No.
2), dated February 3, 1983, trans-
mitting to the Legislature, upon
researching the concerns, interests
and objectives of the small business
community, their recommendations and
suggestions, was read by the Clerk
and was placed on file.

ADJOURNMENT

At 11:52 o'clock a.m., on motion by
Senator Cobb, seconded by Senator
Soares and carried, the Senate
adjourned until 11:30 o'clock a.m.,
Monday, February 7, 1983.

FOURTEENTH DAY

Monday, February 7, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Mr. Frank Newhall of the First Church of Christ Scientist, Honolulu, after which the Roll was called showing all Senators present with the exception of Senator Ajifu who was excused.

The Chair announced that he had read and approved the Journal of the Thirteenth Day.

At this time the following introductions were made to the members of the Senate:

Senator Henderson introduced the ranking Republican in the California State Senate, Senator H.L. Bill Richardson and Mr. Dick Penhallow, a friend from Waimea.

Senator Solomon then introduced the former president of the Kohala Senior Citizens Club, Mr. Fred Cachola.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 69 and 70) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 69) transmitting a report prepared by the Department of Health, in response to House Resolution No. 14 (1982), requesting the amendment of present regulations or the adoption of new regulations to include the monitoring of discharges generated by geothermal activities, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 70) transmitting a report prepared by the Department of Social Services and Housing and the State Law Enforcement Planning Agency, in response to House Resolution No. 209 (1982), requesting DSSH to establish a vocational training center at the Hawaii Youth Correctional Facility, was referred to the Committee on Judiciary.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept.

Com. Nos. 20 and 21) were read by the Clerk and were disposed of as follows:

A communication from the Department of Education (Dept. Com. No. 20) transmitting copies of a report entitled: "Financial Report, Department of Education, July 1, 1981 - June 30, 1982," prepared by the Office of Business Services, Department of Education, RS 82-3833 (January 1983), was referred to the Committee on Education.

A communication from the Office of the Auditor (Dept. Com. No. 21) transmitting copies of the following reports:

"Budget Review and Analysis of the Lower Education Program (Department of Education)," submitted by the Legislative Auditor, February 1983 (Report No. 83-10); and

"Catalog of Legislative Requests Made to the Department of Education during the 1981 and 1982 Legislative Sessions and Responses Thereto," submitted by the Legislative Auditor, February 1983 (Report No. 83-11);

was referred to the Committee on Education.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 9 to 15) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 9), entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A STATE-WIDE CRIMINAL JUSTICE INFORMATION AND DATA PROCESSING SYSTEM," was offered by Senators Soares, George, Henderson, Ajifu, A. Kobayashi, Solomon, Carpenter, Machida and Mizuguchi.

By unanimous consent, S.R. No. 9 was referred to the Committee on Judiciary.

A resolution (S.R. No. 10), entitled: "SENATE RESOLUTION REQUESTING THE CHIEF JUSTICE OF THE SUPREME COURT OF THE STATE OF HAWAII TO TAKE ALL STEPS NECESSARY TO ELIMINATE BARRIERS TO SPEEDY TRIAL," was offered by Senators Soares, George, Henderson, Ajifu, A. Kobayashi, Solomon, Carpenter, Machida and

Mizuguchi.

By unanimous consent, S.R. No. 10 was referred to the Committee on Judiciary.

A resolution (S.R. No. 11), entitled: "SENATE RESOLUTION URGING IMMEDIATE ACTION TO ESTABLISH JUVENILE INTAKE AGENCIES IN THE FAMILY COURTS," was offered by Senators Soares, Henderson, Ajifu, A. Kobayashi, Solomon and Carpenter.

By unanimous consent, S.R. No. 11 was referred to the Committee on Judiciary.

A resolution (S.R. No. 12), entitled: "SENATE RESOLUTION EXPRESSING A LEGISLATIVE POLICY ON PRISON CAPACITY AND REQUESTING AN ACTION PLAN TO IMPLEMENT THE POLICY," was offered by Senators Soares, Henderson, Ajifu and Solomon.

By unanimous consent, S.R. No. 12 was referred to the Committee on Judiciary.

A resolution (S.R. No. 13), entitled: "SENATE RESOLUTION SUPPORTING STRONG ENFORCEMENT OF OBSCENITY LAWS," was offered by Senators Soares, Carpenter, George, Ajifu, Solomon, Machida, Henderson and A. Kobayashi.

By unanimous consent, S.R. No. 13 was referred to the Committee on Judiciary.

A resolution (S.R. No. 14), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO EXPEDITE ITS RULE-MAKING PROCEDURES," was offered by Senators Henderson, A. Kobayashi, George, Soares and Ajifu.

By unanimous consent, S.R. No. 14 was referred to the Committee on Ways and Means.

A resolution (S.R. No. 15), entitled: "SENATE RESOLUTION URGING LOCAL, STATE, AND FEDERAL AGENCIES INVOLVED IN THE LAND USE AND DEVELOPMENT REVIEW PROCESS TO RENEW THEIR EFFORTS TO STREAMLINE THE LAND USE AND DEVELOPMENT REVIEW PROCESS," was offered by Senators Henderson, A. Kobayashi, George, Soares and Ajifu.

By unanimous consent, S.R. No. 15 was referred to the Committee on Housing and Urban Development.

INTRODUCTION OF SENATE BILLS

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Tuesday, February 8, 1983:

Senate Bills

No. 419 "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT."

Introduced by Senators Henderson, Soares, George, A. Kobayashi and Ajifu.

No. 420 "A BILL FOR AN ACT RELATING TO LAND READJUSTMENT."

Introduced by: Senators Kawasaki, Fernandes Salling, Aki, Kuroda, B. Kobayashi, Toguchi, Ajifu, Henderson, Holt, Cobb and Young.

No. 421 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES LABOR ORGANIZATIONS."

Introduced by: Senators Kawasaki, Kuroda, Fernandes Salling, Abercrombie, Carpenter, Cayetano, Aki, Ajifu, A. Kobayashi, Solomon, Holt, Hagino and Cobb.

No. 422 "A BILL FOR AN ACT RELATING TO CAPITAL PUNISHMENT."

Introduced by: Senators A. Kobayashi, Kuroda, Soares, Ajifu, Cobb, Kawasaki and Carpenter.

No. 423 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND SUBSTANCE ABUSE."

Introduced by: Senator Machida, by request.

No. 424 "A BILL FOR AN ACT RELATING TO STATE PARKS."

Introduced by: Senators Kuroda, Uwaine, Holt, Henderson, George, Fernandes Salling, Aki, Soares, Solomon, Cobb, Chang, Abercrombie and Toguchi.

No. 425 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STATE OPERATED LOTTERY SYSTEM."

Introduced by: Senators Kuroda, Aki, Fernandes Salling, Uwaine, Soares, Solomon, Abercrombie and

Chang.

No. 426 "A BILL FOR AN ACT RELATING TO AN INCOME TAX CREDIT."

Introduced by: Senators Kuroda, Chang, Hagino, Holt, Henderson, George, Fernandes Salling, Aki, Uwaine, Soares, Solomon, Cobb, Abercrombie and Toguchi.

No. 427 "A BILL FOR AN ACT RELATING TO THE HAWAII CONVENTION CENTER AUTHORITY."

Introduced by: Senators Kuroda, Kawasaki, Cobb, Machida, Henderson, Soares, Holt, Abercrombie, Chang, Hagino, Carpenter, Aki, A. Kobayashi, Ajifu, Uwaine, Solomon, Toguchi, Young, Fernandes Salling and Wong.

No. 428 "A BILL FOR AN ACT RELATING TO SPEECH PATHOLOGISTS AND AUDIOLOGISTS."

Introduced by: Senators Toguchi, Abercrombie, Fernandes Salling, Kuroda, A. Kobayashi, Cayetano, Ajifu, Hagino, B. Kobayashi, Chang, Aki and Kawasaki.

No. 429 "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FUND RAISING."

Introduced by: Senators Toguchi, Abercrombie, Ajifu, Fernandes Salling, Kuroda, Hagino, Kawasaki, Cayetano, Aki, Carpenter, Cobb, B. Kobayashi, A. Kobayashi and Chang.

No. 430 "A BILL FOR AN ACT RELATING TO THE ETHNIC STUDIES ORAL HISTORY PROJECT."

Introduced by: Senators Aki, Fernandes Salling, Yamasaki, Hagino, Uwaine, Ajifu and A. Kobayashi.

No. 431 "A BILL FOR AN ACT RELATING TO ABORTION."

Introduced by: Senator Ajifu.

No. 432 "A BILL FOR AN ACT RELATING TO THE EMPLOYEE PURCHASE LOAN PROGRAM."

Introduced by: Senator Ajifu.

No. 433 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senator Ajifu.

No. 434 "A BILL FOR AN ACT RELATING TO SMALL CLAIMS."

Introduced by: Senator Ajifu.

No. 435 "A BILL FOR AN ACT RELATING TO CREDIT INSURANCE."

Introduced by: Senator Ajifu.

No. 436 "A BILL FOR AN ACT RELATING TO THEFT IN THE FIRST DEGREE."

Introduced by: Senators Carpenter, Cayetano, Holt, Toguchi, Abercrombie, A. Kobayashi, Cobb, Kuroda, Machida and Kawasaki.

No. 437 "A BILL FOR AN ACT RELATING TO THE INTERSTATE TRANSMISSION OF CRIMINAL JUSTICE DATA AND INFORMATION."

Introduced by: Senators Carpenter, Cayetano, Holt, Cobb, Kawasaki, Kuroda, Toguchi, Abercrombie, Machida and A. Kobayashi.

No. 438 "A BILL FOR AN ACT RELATING TO ALARM BUSINESSES."

Introduced by: Senators Carpenter, Holt, Cayetano, Abercrombie, Toguchi, A. Kobayashi, Kuroda, Machida and Kawasaki.

No. 439 "A BILL FOR AN ACT RELATING TO PROHIBITED MOTOR AND OTHER VEHICLE EQUIPMENT."

Introduced by: Senators Carpenter, Holt, Cayetano, Abercrombie, Toguchi, A. Kobayashi, Cobb, Kuroda, Machida and Kawasaki.

No. 440 "A BILL FOR AN ACT RELATING TO PROSTITUTION."

Introduced by: Senators Carpenter, Cayetano, Holt, Toguchi, Abercrombie, A. Kobayashi, Kuroda, Machida and Kawasaki.

No. 441 "A BILL FOR AN ACT RELATING TO ENDANGERING THE WELFARE OF A MINOR."

Introduced by: Senators Carpenter, Cayetano, Holt, Toguchi, Abercrombie, A. Kobayashi, Cobb, Kuroda, Machida and Kawasaki.

No. 442 "A BILL FOR AN ACT RELATING TO FUNERAL ESCORTS."

Introduced by: Senators Carpenter,

Cayetano, Abercrombie, Holt,
Kuroda, Machida, Toguchi, A.
Kobayashi and Kawasaki.

No. 443 "A BILL FOR AN ACT TO
AMEND CHAPTER 712, HAWAII
REVISED STATUTES, PRIMA FACIE
EVIDENCE, AS IT RELATES TO
MARIJUANA."

Introduced by: Senators Carpenter,
Cayetano, Abercrombie, Toguchi,
A. Kobayashi, Cobb, Kuroda and
Machida.

No. 444 "A BILL FOR AN ACT
RELATING TO PRIVILEGE."

Introduced by: Senators Carpenter,
George, Toguchi, Fernandes
Salling, Hagino, Cobb, Holt,
Cayetano, Abercrombie, A. Koba-
yashi and Kawasaki.

No. 445 "A BILL FOR AN ACT
RELATING TO GAMBLING."

Introduced by: Senators Carpenter,
Holt, Abercrombie, Toguchi, A.
Kobayashi, Cobb, Kuroda, Machida
and Kawasaki.

No. 446 "A BILL FOR AN ACT TO
AMEND SECTION 707-741, HAWAII
REVISED STATUTES, CREATING
TWO CLASSES OF INCEST."

Introduced by: Senators Carpenter,
Cayetano, Holt, Toguchi, Aber-
crombie, A. Kobayashi, Cobb,
Kuroda, Machida and Kawasaki.

No. 447 "A BILL FOR AN ACT
RELATING TO UNAUTHORIZED USE
OF LAW ENFORCEMENT SYMBOLS."

Introduced by: Senators Carpenter,
Cayetano, Holt, Abercrombie,
Toguchi, Cobb, A. Kobayashi,
Kuroda, Machida and Kawasaki.

No. 448 "A BILL FOR AN ACT
RELATING TO FIREARMS."

Introduced by: Senators Carpenter,
Abercrombie, Toguchi, A. Koba-
yashi, Cobb, Kuroda, Machida and
Kawasaki.

No. 449 "A BILL FOR AN ACT
RELATING TO SUPPLEMENTAL
SECURITY INCOME BENEFITS."

Introduced by: Senators Solomon,
Fernandes Salling, B. Kobayashi,
Hagino, Holt, Aki, Yamasaki,
Abercrombie, Ajifu, Carpenter,
Uwaine, Kuroda, Toguchi and
Chang.

STANDING COMMITTEE REPORT

Senator Young, for the Committee
on Legislative Management, presented
a report (Stand. Com. Rep. No. 12)
informing the Senate that Senate
Resolution Nos. 9 to 15 and Senate
Bill Nos. 397 to 418 have been print-
ed and have been distributed to the
members of the Senate.

On motion by Senator Young,
seconded by Senator George and
carried, the report of the Committee
was adopted.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following
committee assignments of bills that
were introduced on Friday, February
4, 1983:

Senate Bills Referred to:

- No. 397 Committee on Judiciary.
- No. 398 Committee on Judiciary.
- No. 399 Committee on Judiciary.
- No. 400 Committee on Judiciary.
- No. 401 Committee on Consumer
Protection and Commerce, then to
the Committee on Ways and Means.
- No. 402 Committee on Education,
then to the Committee on Ways and
Means.
- No. 403 Committee on Legislative
Management.
- No. 404 Committee on Consumer
Protection and Commerce.
- No. 405 Committee on Legislative
Management.
- No. 406 Committee on Judiciary.
- No. 407 Committee on Human
Resources.
- No. 408 Committee on Govern-
ment Operations and County Rela-
tions, then to the Committee on
Ways and Means.
- No. 409 Committee on Govern-
ment Operations and County Rela-
tions, then to the Committee on
Ways and Means.
- No. 410 Committee on Human
Resources, then to the Committee
on Ways and Means.
- No. 411 Committee on Human
Resources.

- No. 412 Committee on Human Resources.
- No. 413 Committee on Consumer Protection and Commerce.
- No. 414 Committee on Consumer Protection and Commerce.
- No. 415 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means.
- No. 416 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means.
- No. 417 Committee on Ways and Means.
- No. 418 Committee on Transportation.

MISCELLANEOUS COMMUNICATION

A communication from the Legal Aid Society of Hawaii (Misc. Com. No. 3), transmitting copies of a report entitled: "Report to the 12th Legislature on the Activities of the Legal Aid Society of Hawaii," December 9, 1982, was read by the Clerk and was referred to the Committee on Judiciary.

At this time, Senator Abercrombie rose and stated:

"Mr. President, this evening in the auditorium there will be a meeting of interested parties for those who wish to help Senator Spark Matsunaga pursue legislation for the establishment of a Peace Academy in the United States.

"When Senator Matsunaga first put forward this idea, it was greeted with a great deal of skepticism.

"It was greeted in some quarters as an idea which had idealistic qualities.

"In recent days, Mr. President, it has become obvious by a mere glance at the machinations that are now taking place in the United States Congress with respect to the bloated Pentagon budget, to the incredible misdirection of the President of the United States with respect to funding what is ostensibly in our national interest in terms of defense that such an academy not only is in order, but is probably vital perhaps, to the very existence of our domestic economy.

"When one reads of the amount of money that is now going to have to be spent by the taxpayers just to carry the enormous pension

requirements of a standing military, which is reaching millions and millions of people just over the last quarter of a century, when we understand what it is going to cost to maintain these services, when we realize the kind of costs that are now going to places like El Salvador...the entire budget cut in this state is to be spent on military aid alone to El Salvador in a single year, a place where the Archbishop of the nation indicated that random murder by the government is now the rule, a situation where I read by the flacks in the Honolulu Advertiser, the uncritical propagandists in the real estate industry, that we are now going to have thousands upon thousands of military personnel compete unfairly on the housing market with the people who are residents here, especially on Oahu who now apparently have thousands and thousands of tax free dollars to drive the cost of living up in the island.

"When we see the ramifications in recent studies that indicate that thousands and thousands of civilian jobs are being lost as we bloat the Pentagon budget by billions and billions of dollars as the economy is distorted and distended...as we enter and in fact, are well upon probably the first defense depression in the history of this country, it becomes clearer and clearer that the idea of a Peace Academy, that is to say, an institution organized at the governmental level to study the implications of peace, as well as the implications of war, what is in our interest from the point of view of national security, what is in our interest from the point of view of domestic tranquility in terms of the economy in our social relations with one another, becomes more and more apparent as I said that a Peace Academy at the level contemplated by Senator Matsunaga is entirely in order.

"This Senate passed a resolution urging the adoption of this legislation last year and we have the opportunity this evening to see what the status of the legislation is and what we can do in the State of Hawaii to advance its cause. So we, this evening at 7:00 p.m. in the Capitol auditorium...Senator Matsunaga will do his best to be there, he has been ill...in any event, we will carry on and see what we can do to serve the cause of peace not only in the State of Hawaii, but nation-wide as well.

"Thank you."

ADJOURNMENT

At 11:50 o'clock a.m., on motion by
Senator Cobb, seconded by Senator

Soares and carried, the Senate ad-
journed until 11:30 o'clock a.m.,
Tuesday, February 8, 1983.

FIFTEENTH DAY

Tuesday, February 8, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Robert Midley, Senior Minister, Central Union Church, after which the Roll was called showing all Senators present with the exception of Senators Aki, Holt, Machida and Mizuguchi who were excused.

The Chair announced that he had read and approved the Journal of the Fourteenth Day.

At this time, Senator Ajifu, on behalf of Senator Toguchi and himself, introduced a group of 55 gifted and talented students from Benjamin Parker Elementary School, Kaneohe Elementary School, Kapunahala Elementary School, and Puohala Elementary School, Windward District, accompanied by their teachers: Mrs. Evelyn Teramae, Mrs. Jean Yoshikane, Mrs. Mercedes Menor, and Mrs. Ruby Hiraishi.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 71 to 73) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 71) transmitting a report prepared by the Hawaiian Sugar Planters' Association, entitled: "Semi-Annual Report to the State of Hawaii," for the period July 1 - December 31, 1982, dated January 21, 1983, in fulfillment of contract 14978 with the State of Hawaii, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 72) transmitting a report prepared by the Department of Land and Natural Resources on Land Disposition; Subleases Approved by the Board of Land and Natural Resources; Executive Orders; and Dispositions to Public Utilities, dated January 1983, in response to Section 171-29, Hawaii Revised Statutes, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 73) transmitting a report, entitled: "The State Plan Policy Council Progress Report on Activities Conducted in Furtherance of the Hawaii State Plan," dated January

1983, prepared by the Planning Division, Department of Planning and Economic Development, was referred to the Committee on Economic Development.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 22 and 23) were read by the Clerk and were disposed of as follows:

A communication from the Department of the Attorney General (Dept. Com. No. 22), dated February 1, 1983, acknowledging receipt of Senate Resolution No. 4 (1983), requesting all law enforcement agencies in the State of Hawaii to delay issuance of citations against motor vehicles with tinted windows pending development of standards by the Legislature, was placed on file.

A report from the Department of Planning and Economic Development (Dept. Com. No. 23), entitled: "Bibliography of Tourism Projections Issued since 1976, Statistical Report 158," January 21, 1983, prepared by the Research and Economic Analysis Division of the Department of Planning and Economic Development, was referred to the Committee on Tourism.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 19 and 20) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 19), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HOLDING OF A PUBLIC HEARING TO INVESTIGATE THE REASONS FOR THE DIFFICULTY OF MEMBERS WHO ARE ENROLLED WITH THE KAISER HEALTH PLAN IN OBTAINING APPOINTMENTS FOR EXAMINATIONS," was offered by Senators Kawasaki, Kuroda, Hagino, Cobb, Cayetano, Carpenter, A. Kobayashi, Mizuguchi, Fernandes Salling, Solomon, Machida, Ajifu and Holt.

By unanimous consent, S.C.R. No. 19 was referred to the Committee on Health.

A concurrent resolution (S.C.R. No. 20), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES AND THE PRESIDENT OF

THE UNITED STATES TO ENSURE THE RELEASE OF \$7,000,000 APPROPRIATED BY CONGRESS TO ASSIST HAWAII DAIRY FARMERS UNDER THE DAIRY INDEMNITY PROGRAM," was offered by Senators Toguchi and Aki.

By unanimous consent, S.C.R. No. 20 was referred to the Committee on Agriculture.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 16 and 17) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 16), entitled: "SENATE RESOLUTION REQUESTING THE HOLDING OF A PUBLIC HEARING TO INVESTIGATE THE REASONS FOR THE DIFFICULTY OF MEMBERS WHO ARE ENROLLED WITH THE KAISER HEALTH PLAN IN OBTAINING APPOINTMENTS FOR EXAMINATIONS," was offered by Senators Kawasaki, Cayetano, Holt, Ajifu, Mizuguchi, Machida, Carpenter, Hagino, Kuroda, Solomon, Fernandes Salling, Cobb and A. Kobayashi.

By unanimous consent, S.R. No. 16 was referred to the Committee on Health.

A resolution (S.R. No. 17), entitled: "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY FOR CONSTRUCTION OF A CONVENTION CENTER," was offered by Senators Kuroda, Aki, Fernandes Salling, Uwaine, Hagino, Holt, Soares, Solomon, Cobb, B. Kobayashi, Abercrombie, Toguchi and Chang.

By unanimous consent, S.R. No. 17 was referred to the Committee on Tourism.

INTRODUCTION OF SENATE BILLS

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Wednesday, February 9, 1983:

Senate Bills

No. 450 "A BILL FOR AN ACT RELATING TO CONDOMINIUM MANAGEMENT."

Introduced by: Senators Fernandes Salling, Aki, A. Kobayashi, Ajifu, Cobb, Kawasaki, Hagino, Kuroda, Solomon, Cayetano, Toguchi and Carpenter.

No. 451 "A BILL FOR AN ACT RELATING TO CONDOMINIUM MANAGEMENT."

Introduced by: Senators Fernandes Salling, Aki, A. Kobayashi, Ajifu, Kuroda, Carpenter, Solomon, Cayetano, Toguchi and Kawasaki.

No. 452 "A BILL FOR AN ACT RELATING TO CONDOMINIUM MANAGEMENT."

Introduced by: Senators Fernandes Salling, Carpenter, Kawasaki, Aki, Cayetano, Toguchi, Ajifu, Solomon, Kuroda and Hagino.

No. 453 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS."

Introduced by: Senator Ajifu.

No. 454 "A BILL FOR AN ACT RELATING TO FILM MAKING."

Introduced by: Senator Uwaine.

No. 455 "A BILL FOR AN ACT RELATING TO THE VISITOR INDUSTRY."

Introduced by: Senator Uwaine.

No. 456 "A BILL FOR AN ACT RELATING TO WATER CARRIERS."

Introduced by: Senators Yamasaki, Machida, Toguchi, Aki, B. Kobayashi, Soares, Holt, Ajifu, Henderson, George, Solomon, A. Kobayashi, Fernandes Salling, Uwaine, Kuroda, Mizuguchi, Carpenter, Chang, Abercrombie and Cayetano.

No. 457 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Senators Yamasaki, Holt, Hagino, B. Kobayashi, Kawasaki, Young, Solomon, Soares, Henderson, George, Aki, Fernandes Salling, Uwaine, Kuroda, Mizuguchi, Toguchi, Carpenter, Chang, Machida, Ajifu and A. Kobayashi.

No. 458 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ASSISTANCE TO OPERATORS OF ADULT BOARDING HOMES AND CARE HOMES."

Introduced by: Senators Fernandes Salling, Young, Solomon, Chang, Yamasaki, A. Kobayashi and Cayetano.

No. 459 "A BILL FOR AN ACT

RELATING TO TAXATION."

Introduced by: Senators Chang, Hagino, Yamasaki, Aki, Abercrombie, Holt, Uwaine, Carpenter, Fernandes Salling, Kuroda, Cobb, Ajifu, Kawasaki, A. Kobayashi, Mizuguchi, Toguchi, Machida, Solomon, Cayetano, Soares and Wong.

No. 460 "A BILL FOR AN ACT RELATING TO RESIDENTIAL LANDLORD-TENANT CODE."

Introduced by: Senators Young and Fernandes Salling.

No. 461 "A BILL FOR AN ACT RELATING TO ZONING."

Introduced by: Senator Young.

No. 462 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Young, by request.

No. 463 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Senator Young, by request.

No. 464 "A BILL FOR AN ACT RELATING TO SALES OF REAL PROPERTY."

Introduced by: Senator Young, by request.

No. 465 "A BILL FOR AN ACT RELATING TO THE COUNCIL OF HOUSING AND CONSTRUCTION INDUSTRY."

Introduced by: Senator Young, by request.

No. 466 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senators Young and Fernandes Salling.

No. 467 "A BILL FOR AN ACT RELATING TO MARRIAGE."

Introduced by: Senators Young and Fernandes Salling.

No. 468 "A BILL FOR AN ACT RELATING TO THE HAWAII HOME EQUITY BANK."

Introduced by: Senator Cayetano, by request..

No. 469 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Cobb.

No. 470 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL."

Introduced by: Senators Carpenter, Cayetano, Abercrombie, Yamasaki, A. Kobayashi, Soares, Aki and Cobb.

No. 471 "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION."

Introduced by: Senators Carpenter, Yamasaki, A. Kobayashi, Soares, Aki and Cayetano.

No. 472 "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION."

Introduced by: Senators Carpenter, Yamasaki, A. Kobayashi, Soares, Aki, Cayetano and Cobb.

No. 473 "A BILL FOR AN ACT RELATING TO PHYSICAL THERAPY."

Introduced by: Senators Machida, Fernandes Salling, Solomon, Hagino, Kawasaki, Uwaine, Soares, George, Yamasaki, Kuroda, B. Kobayashi, Young, Chang, Cobb, Aki and Cayetano.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 13) informing the Senate that Senate Concurrent Resolution Nos. 19 and 20, Senate Resolution Nos. 16 and 17, and Senate Bill Nos. 419 to 449 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Monday, February 7, 1983:

Senate Bills Referred to:

- | | | | |
|---------|---|---------|---|
| No. 419 | Committee on Govern-
ment Operations and County
Relations | No. 435 | Committee on Consumer
Protection and Commerce |
| No. 420 | Committee on Housing
and Urban Development, then to the
Committee on Ways and Means | No. 436 | Committee on Judiciary |
| No. 421 | Committee on Human
Resources | No. 437 | Committee on Judiciary,
then to the Committee on Ways and
Means |
| No. 422 | Committee on Judiciary | No. 438 | Committee on Consumer
Protection and Commerce |
| No. 423 | Committee on Health,
then to the Committee on Ways and
Means | No. 439 | Committee on Trans-
portation, then to the Committee on
Judiciary |
| No. 424 | Committee on Ecology,
Environment and Recreation, then
to the Committee on Ways and Means | No. 440 | Committee on Judiciary |
| No. 425 | Committee on Judiciary,
then to the Committee on Ways and
Means | No. 441 | Committee on Judiciary |
| No. 426 | Committee on Youth and
Elderly Affairs, then to the Commit-
tee on Ways and Means | No. 442 | Committee on Govern-
ment Operations and County Re-
lations, then to the Committee on
Ways and Means |
| No. 427 | Committee on Tourism,
then to the Committee on Ways and
Means | No. 443 | Committee on Judiciary |
| No. 428 | Committee on Consumer
Protection and Commerce | No. 444 | Committee on Judiciary |
| No. 429 | Committee on Education,
then to the Committee on Ways and
Means | No. 445 | Committee on Judiciary |
| No. 430 | Committee on Culture
and Arts | No. 446 | Committee on Judiciary |
| No. 431 | Committee on Human
Resources, then to the Committee
on Ways and Means | No. 447 | Committee on Judiciary |
| No. 432 | Committee on Economic
Development, then to the Committee
on Ways and Means | No. 448 | Committee on Judiciary |
| No. 433 | Committee on Agri-
culture, then to the Committee on
Ways and Means | No. 449 | Committee on Legisla-
tive Management |
| No. 434 | Committee on Judiciary | | |

The President then announced that a memo will be sent out by his office to all members of the Senate, sometime this afternoon, on guidelines regarding the introduction of appropriation and CIP bills.

ADJOURNMENT

At 11:46 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 9, 1983.

SIXTEENTH DAY

Wednesday, February 9, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by Captain James Saunders, Chaplain, United States Air Force, after which the Roll was called showing all Senators present with the exception of Senator Abercrombie who was excused.

The Chair announced that he had read and approved the Journal of the Fifteenth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Kuroda, on behalf of Senator Solomon, introduced her grandparents, Mr. and Mrs. Bono Beamer, and her cousin Mr. Francis Beamer.

Senator Chang then rose and stated:

"Mr. President, it's my privilege and honor this morning to introduce the McKinley High School Varsity Cheerleaders who are on their way, this very day, to the National High School Cheerleading Championships in Dallas, Texas.

"As a McKinley High School alumnus, I'm particularly proud to introduce these young persons who cheer for the twenty-three sports fielded at McKinley High School, are the cheerleaders for the Hawaii Special Olympic finals, and are volunteers for the Easter Seal Society.

"Many of them have been selected to Who's Who in High Schools in America and to the National Achievement Academy. They are: Lori Nakamura, Captain; Joy Yang, Co-Captain; Sheila Suenaka, School Yell Leader; Erik Earle, Adagio Captain; Lynn Ann Akina, Donni Ching, Lisa Lum, Sheryl Lee, Mario Fuentes, Donna Sambueno, Annette Freitas, Pamela Nakasone and Megumi Kuwada. We also have with them 'Kika,' which means 'tiger' in Hawaiian, Cy Hakikawa, and they are accompanied by the Athletic Director, Mr. Henry Kusunoki and their Coach and Advisor, Ms. Gail Sykes.

"We will be presenting a certificate to the pep squad today which states,

'In recognition of being chosen the most outstanding pep squad at the State of Hawaii National Cheerleaders Association Camp, receiving the award of excellence from the National Cheerleaders Association and being selected to represent the State of Hawaii at the National Cheerleading Competition, a certificate presented on behalf of the Senate of the State of Hawaii.'

At 11:40 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 74 and 75) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 74) transmitting reports prepared by the University of Hawaii in response to the following resolutions:

1. House Resolution No. 195 (1982), requesting a study of educational opportunities for veterans of the Vietnam conflict (January 1983), referred to the Committee on Higher Education; and

2. House Resolution No. 208 (1982), requesting the Industrial Relations Center of the University of Hawaii to undertake a preliminary review of the issue of ensuring in Hawaii equal pay for work of comparable worth (January 1983), referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 75) transmitting copies of a report prepared by the Executive Office on Aging entitled: "Report on Hawaii's Aging Programs, FY 1982," January 1983, was referred to the Committee on Youth and Elderly Affairs.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 21), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A TEMPORARY MORATORIUM ON INCREASES IN WORKERS' COMPENSATION INSURANCE RATES AND BENEFITS THEREUNDER," was offered by Senators Cobb, B. Kobayashi,

Solomon, Aki, A. Kobayashi, Hagino, Kuroda, Ajifu and Carpenter, and was read by the Clerk.

By unanimous consent, S.C.R. No. 21 was referred to the Committee on Human Resources.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 18 and 19) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 18), entitled: "SENATE RESOLUTION RELATING TO THE DOMICILIARY CARE PROGRAM," was offered by Senators Fernandes Salling, Young, Cobb, Chang, Solomon, Yamasaki, A. Kobayashi and Cayetano.

By unanimous consent, S.R. No. 18 was referred to the Committee on Human Resources.

A resolution (S.R. No. 19), entitled: "SENATE RESOLUTION REQUESTING A MORATORIUM ON INCREASES IN WORKERS' COMPENSATION INSURANCE RATES AND BENEFITS THEREUNDER," was offered by Senators Cobb, B. Kobayashi, Yamasaki, Aki, Toguchi, A. Kobayashi, Hagino, Kuroda, Ajifu, Kawasaki and Carpenter.

By unanimous consent, S.R. No. 19 was referred to the Committee on Human Resources.

INTRODUCTION OF SENATE BILLS

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Thursday, February 10, 1983:

Senate Bills

No. 474 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senators Henderson, Soares, A. Kobayashi, George and Ajifu.

No. 475 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Henderson, A. Kobayashi, Soares, George and Ajifu.

No. 476 "A BILL FOR AN ACT

RELATING TO THE STATE LAND USE COMMISSION."

Introduced by: Senator Young, by request.

No. 477 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

Introduced by: Senator Wong, by request.

No. 478 "A BILL FOR AN ACT RELATING TO THE FAMILY COURT."

Introduced by: Senator Wong, by request.

No. 479 "A BILL FOR AN ACT RELATING TO THE FAMILY COURT."

Introduced by: Senator Wong, by request.

No. 480 "A BILL FOR AN ACT RELATING TO THE FAMILY COURT."

Introduced by: Senator Wong, by request.

No. 481 "A BILL FOR AN ACT RELATING TO THE FAMILY COURT."

Introduced by: Senator Wong, by request.

No. 482 "A BILL FOR AN ACT RELATING TO THE FAMILY COURT."

Introduced by: Senator Wong, by request.

No. 483 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Senator Wong, by request.

No. 484 "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE."

Introduced by: Senator Wong, by request.

No. 485 "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE."

Introduced by: Senator Wong, by request.

No. 486 "A BILL FOR AN ACT RELATING TO INTAKE SERVICE CENTERS."

- Introduced by: Senator Wong, by request.
- No. 487 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."
Introduced by: Senator Wong, by request.
- No. 488 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."
Introduced by: Senator Wong, by request.
- No. 489 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."
Introduced by: Senator Wong, by request.
- No. 490 "A BILL FOR AN ACT RELATING TO THE DISTRICT COURTS."
Introduced by: Senator Wong, by request.
- No. 491 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."
Introduced by: Senator Wong, by request.
- No. 492 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."
Introduced by: Senator Wong, by request.
- No. 493 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."
Introduced by: Senator Wong, by request.
- No. 494 "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC."
Introduced by: Senator Wong, by request.
- No. 495 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."
Introduced by: Senator Wong, by request.
- No. 496 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."
Introduced by: Senator Wong, by request.
- No. 497 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."
Introduced by: Senator Wong, by request.
- No. 498 "A BILL FOR AN ACT RELATING TO THE FAMILY COURT."
Introduced by: Senator Wong, by request.
- No. 499 "A BILL FOR AN ACT RELATING TO THE FAMILY COURT."
Introduced by: Senator Wong, by request.
- No. 500 "A BILL FOR AN ACT RELATING TO NEW INDUSTRIES."
Introduced by: Senator Aki.
- No. 501 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS."
Introduced by: Senator Wong, by request.
- No. 502 "A BILL FOR AN ACT RELATING TO STATE BONDS."
Introduced by: Senator Wong, by request.
- No. 503 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."
Introduced by: Senator Wong, by request.
- No. 504 "A BILL FOR AN ACT RELATING TO HEALTH PLANNING."
Introduced by: Senator Wong, by request.
- No. 505 "A BILL FOR AN ACT RELATING TO A STATEWIDE TRANSITION TO WORK SYSTEM."
Introduced by: Senator Wong, by request.
- No. 506 "A BILL FOR AN ACT RELATING TO OCCUPATIONAL AND CAREER INFORMATION."
Introduced by: Senator Wong, by request.
- No. 507 "A BILL FOR AN ACT RELATING TO WAGE AND HOUR LAW."
Introduced by: Senator Wong, by request.
- No. 508 "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE."

- Introduced by: Senator Wong, by request.
- No. 509 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD."
Introduced by: Senator Wong, by request.
- No. 510 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD."
Introduced by: Senator Wong, by request.
- No. 511 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD."
Introduced by: Senator Wong, by request.
- No. 512 "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF THE MEMBERS OF CERTAIN FULL TIME BOARDS AND COMMISSIONS."
Introduced by: Senator Wong, by request.
- No. 513 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."
Introduced by: Senator Wong, by request.
- No. 514 "A BILL FOR AN ACT RELATING TO THE PRACTICE OF BEAUTY CULTURE."
Introduced by: Senator Wong, by request.
- No. 515 "A BILL FOR AN ACT RELATING TO INSURANCE UNFAIR PRACTICES AND FRAUDS."
Introduced by: Senator Wong, by request.
- No. 516 "A BILL FOR AN ACT RELATING TO PROSECUTION OF CONSUMER COMPLAINTS BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS."
Introduced by: Senator Wong, by request.
- No. 517 "A BILL FOR AN ACT RELATING TO FACTORY-BUILT HOUSING."
Introduced by: Senator Wong, by request.
- No. 518 "A BILL FOR AN ACT RELATING TO INVESTIGATORS OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING."
Introduced by: Senator Wong, by request.
- No. 519 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING."
Introduced by: Senator Wong, by request.
- No. 520 "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY."
Introduced by: Senator Wong, by request.
- No. 521 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Senator Wong, by request.
- No. 522 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Senator Wong, by request.
- No. 523 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Senator Wong, by request.
- No. 524 "A BILL FOR AN ACT RELATING TO ALCOHOL AND HIGHWAY SAFETY."
Introduced by: Senator Wong, by request.
- No. 525 "A BILL FOR AN ACT RELATING TO DRIVER LICENSING."
Introduced by: Senator Wong, by request.
- No. 526 "A BILL FOR AN ACT RELATING TO WIND ENERGY."
Introduced by: Senator Cayetano.
- No. 527 "A BILL FOR AN ACT RELATING TO ALTERNATE ENERGY."
Introduced by: Senator Cayetano.
- No. 528 "A BILL FOR AN ACT RELATING TO MOTORCYCLES."
Introduced by: Senator Cayetano.
- No. 529 "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN

COMPANIES."

Introduced by: Senator Cayetano,
by request.

No. 530 "A BILL FOR AN ACT
RELATING TO UTILIZATION OF
ELECTRICITY GENERATED FROM
NONFOSSIL FUELS."

Introduced by: Senator Cayetano.

No. 531 "A BILL FOR AN ACT
RELATING TO ACUPUNCTURE
PRACTITIONERS."

Introduced by: Senators Carpenter,
Abercrombie, Toguchi, Kuroda and
Machida.

No. 532 "A BILL FOR AN ACT
RELATING TO PRE-TRIAL DE-
TAINÉES."

Introduced by: Senators Carpenter,
Abercrombie, Toguchi, George,
Kuroda and Machida.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 14) informing the Senate that Senate Concurrent Resolution No. 21, Senate Resolution Nos. 18 and 19, and Senate Bill Nos. 450 to 473 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Tuesday, February 8, 1983:

Senate Bills Referred to:

No. 450 Committee on Consumer
Protection and Commerce.

No. 451 Committee on Consumer
Protection and Commerce.

No. 452 Committee on Consumer
Protection and Commerce.

No. 453 Committee on Agricul-
ture, then to the Committee on
Ways and Means.

No. 454 Committee on Economic
Development.

No. 455 Committee on Consumer
Protection and Commerce, then to
the Committee on Ways and Means.

No. 456 Committee on Economic
Development.

No. 457 Committee on Ways and
Means.

No. 458 Committee on Legislative
Management.

No. 459 Committee on Ecology,
Environment and Recreation, then
to the Committee on Ways and
Means.

No. 460 Committee on Housing
and Urban Development.

No. 461 Committee on Housing
and Urban Development.

No. 462 Committee on Housing
and Urban Development, then to the
Committee on Ways and Means.

No. 463 Committee on Housing
and Urban Development.

No. 464 Committee on Housing
and Urban Development, then to the
Committee on Ways and Means.

No. 465 Committee on Housing
and Urban Development, then to the
Committee on Ways and Means.

No. 466 Committee on Legislative
Management.

No. 467 Jointly to the Committee
on Health and the Committee on
Human Resources, then to the
Committee on Ways and Means.

No. 468 Jointly to the Committee
on Youth and Elderly Affairs and
the Committee on Housing and
Urban Development, then to the
Committee on Ways and Means.

No. 469 Committee on Consumer
Protection and Commerce.

No. 470 Committee on Judiciary.

No. 471 Committee on Judiciary,
then to the Committee on Ways and
Means.

No. 472 Committee on Judiciary,
then to the Committee on Ways and
Means.

No. 473 Jointly to the Committee
on Health and the Committee on
Consumer Protection and Commerce,
then to the Committee on Ways and
Means.

ADJOURNMENT

At 11:55 o'clock a.m., on motion by
Senator Cobb, seconded by Senator

Soares and carried, the Senate ad-
journed until 11:30 o'clock a.m.,
Thursday, February 10, 1983.

SEVENTEENTH DAY

Thursday, February 10, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend William Sanders, Pastor of First Southern Baptist Church of Ewa Beach, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie and Aki who were excused.

The Chair announced that he had read and approved the Journal of the Sixteenth Day.

INTRODUCTION OF SENATE BILLS

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Friday, February 11, 1983:

Senate Bills

No. 533 "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION."

Introduced by: Senator George.

No. 534 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Senator George.

No. 535 "A BILL FOR AN ACT RELATING TO VEHICULAR TAXES."

Introduced by: Senator George.

No. 536 "A BILL FOR AN ACT RELATING TO VOLUNTEER SERVICES TAX CREDIT PILOT PROGRAM."

Introduced by: Senator George.

No. 537 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX ON CERTAIN FOOD AND DRUGS."

Introduced by: Senators Henderson, Soares, George, Ajifu and A. Kobayashi.

No. 538 "A BILL FOR AN ACT RELATING TO HILO HOSPITAL."

Introduced by: Senators Carpenter,

Machida, Solomon, Henderson, Kawasaki, A. Kobayashi, Cobb, Uwaine, George, Cayetano and Kuroda.

No. 539 "A BILL FOR AN ACT RELATING TO THE INCOME TAX."

Introduced by: Senators Solomon, Young, Yamasaki, Ajifu, Fernandes Salling, Chang, Machida, Toguchi, Soares, A. Kobayashi, Carpenter, Kuroda and Cayetano.

No. 540 "A BILL FOR AN ACT RELATING TO CHILD CARE."

Introduced by: Senators Solomon, Young, Yamasaki, Ajifu, Machida, Toguchi, A. Kobayashi, Carpenter, Fernandes Salling, Soares, Kuroda, Cayetano and Chang.

No. 541 "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE SAFETY RESPONSIBILITY ACT."

Introduced by: Senator Cayetano.

No. 542 "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION."

Introduced by: Senator Wong, by request.

No. 543 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STATE REVENUE SHARING PROGRAM FOR THE SEVERAL COUNTIES."

Introduced by: Senators Yamasaki, by request, Henderson, Ajifu, A. Kobayashi, Solomon and George.

No. 544 "A BILL FOR AN ACT RELATING TO THE STATE HIGHWAY FUND AND MAKING AN APPROPRIATION THEREFOR."

Introduced by: Senators Yamasaki, by request, B. Kobayashi, Hagino, Henderson, Fernandes Salling, Cobb, A. Kobayashi, Solomon, George and Toguchi.

No. 545 "A BILL FOR AN ACT RELATING TO THE DISBURSEMENT OF TRAFFIC FINES AND FORFEITURES."

Introduced by: Senators Yamasaki, by request, B. Kobayashi, Hagino, Henderson, Fernandes Salling, Machida, Cobb, A. Kobayashi,

Solomon, George and Toguchi.

No. 546 "A BILL FOR AN ACT
RELATING TO FIREARMS."

Introduced by: Senators Yamasaki,
by request, B. Kobayashi, Hagino,
Fernandes Salling, Machida, Ajifu,
Solomon, Kawasaki, George,
Toguchi and Cayetano.

No. 547 "A BILL FOR AN ACT
RELATING TO EXEMPTING
COUNTIES FROM THE GENERAL
EXCISE TAX."

Introduced by: Senators Yamasaki,
by request, B. Kobayashi, Hender-
son, Fernandes Salling, Ajifu, A.
Kobayashi, Solomon, George and
Toguchi.

No. 548 "A BILL FOR AN ACT
RELATING TO REIMBURSEMENT TO
THE CITY AND COUNTY OF HONO-
LULU UNDER SECTION 70-111,
HAWAII REVISED STATUTES, FOR
ADVANCES MADE BY IT FOR THE
STATE'S SHARE OF THE COST OF
IMPROVEMENTS ASSESSED
AGAINST PUBLIC AND EXEMPT
LANDS IN THE VARIOUS
IMPROVEMENT DISTRICTS WITHIN
THE CITY AND COUNTY OF
HONOLULU AND MAKING
APPROPRIATION THEREFOR."

Introduced by: Senators Yamasaki,
by request, Henderson, Ajifu,
Cobb, Solomon and George.

No. 549 "A BILL FOR AN ACT
RELATING TO ESTABLISHING A
GENERAL EXCISE TAX RATE FOR
A GOVERNMENT SERVICE COMPA-
NY."

Introduced by: Senators Yamasaki,
by request, B. Kobayashi, Hagino,
Henderson, Ajifu, Cobb, A. Koba-
yashi, Solomon, Kawasaki and
George.

No. 550 "A BILL FOR AN ACT TO
AMEND CHAPTERS 237 and 238,
HAWAII REVISED STATUTES,
RELATING TO GENERAL EXCISE
TAX AND USE TAX LAW."

Introduced by: Senators Yamasaki,
by request, Cobb, A. Kobayashi,
Solomon, George and Cayetano.

No. 551 "A BILL FOR AN ACT
RELATING TO THE GENERAL
EXCISE TAX."

Introduced by: Senators Yamasaki,
by request, George, Toguchi,
Cayetano and Machida.

No. 552 "A BILL FOR AN ACT
RELATING TO INCOME TAX LAW."

Introduced by: Senators Yamasaki,
by request, Solomon, Kawasaki,
George, Toguchi, Cayetano and
Machida.

No. 553 "A BILL FOR AN ACT
RELATING TO CAPITAL IMPROVE-
MENT PROJECTS LOCATED IN THE
COUNTY OF MAUI."

Introduced by: Senators Yamasaki,
Machida and Solomon.

No. 554 "A BILL FOR AN ACT
RELATING TO ELECTIONS."

Introduced by: Senator George.

STANDING COMMITTEE REPORT

Senator Young, for the Committee
on Legislative Management, presented
a report (Stand. Com. Rep. No. 15)
informing the Senate that Senate Bill
Nos. 474 to 532 have been printed
and have been distributed to the
members of the Senate.

On motion by Senator Young,
seconded by Senator George and
carried, the report of the Committee
was adopted.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following
committee assignments of bills that
were introduced on Wednesday,
February 9, 1983:

Senate Bills Referred to:

No. 474 Committee on Economic
Development, then to the Committee
on Ways and Means

No. 475 Committee on Human
Resources, then to the Committee
on Ways and Means

No. 476 Committee on Housing
and Urban Development

No. 477 Committee on Health,
then to the Committee on Judiciary

No. 478 Committee on Judiciary

No. 479 Committee on Judiciary

No. 480 Committee on Judiciary

No. 481 Committee on Judiciary

No. 482 Committee on Judiciary

No. 483 Committee on Human Resources, then to the Committee on Ways and Means

No. 484 Committee on Judiciary

No. 485 Committee on Judiciary

No. 486 Committee on Judiciary, then to the Committee on Ways and Means

No. 487 Committee on Judiciary, then to the Committee on Ways and Means

No. 488 Committee on Judiciary

No. 489 Committee on Judiciary

No. 490 Committee on Judiciary

No. 491 Committee on Judiciary, then to the Committee on Ways and Means

No. 492 Committee on Judiciary

No. 493 Committee on Judiciary

No. 494 Committee on Judiciary

No. 495 Committee on Judiciary

No. 496 Committee on Judiciary

No. 497 Committee on Judiciary, then to the Committee on Ways and Means

No. 498 Committee on Judiciary

No. 499 Committee on Judiciary

By unanimous consent, consideration of Senate Bill Nos. 500 to 532 was deferred until Friday, February 11, 1983.

At 11:42 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:43 o'clock a.m.

ADJOURNMENT

At 11:44 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 11, 1983.

EIGHTEENTH DAY

Friday, February 11, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Mr. George Christiansen, Deacon, Roman Catholic Diocese, after which the Roll was called showing all Senators present with the exception of Senator Abercrombie who was excused.

The Chair announced that he had read and approved the Journal of the Seventeenth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Kawasaki, on behalf of the Senate, introduced a group of 5th and 6th grade students from Red Hill Elementary School accompanied by their teachers, Ms. Melissa Au, Mrs. Kathleen Iwao, Mrs. Lois Takamori and a parent, Mrs. Gird.

Senator Kuroda then rose and stated:

"Mr. President, ladies and gentlemen, it is my honor and pleasure to introduce a former colleague, Senator Campbell, who is on the floor with us. I have prepared seven Senate Certificates honoring our seven former senate colleagues who left us in 1982.

"Ladies and gentlemen, my colleagues join me in the presentation of the certificates to the seven; however the others are not able to be present today. And, Mr. President, Senator Charles Campbell is someone who is a school teacher turned legislator, who served as a representative, councilman and senator. He served with us from 1978 to 1982.

"We'll be honoring all of the former senate colleagues, but at this time I'd like to present Senator Charles Campbell."

Senator Ajifu then rose and stated:

"Mr. President, I would like to take this opportunity to present Senate Certificate No. 39 and make some introductory remarks for some guests who are with us on the floor today.

"The Senate Certificate highly

commends the team members and advisors of the national champion University of Hawaii at Manoa Volleyball Team, and is signed by all members of the Senate.

"Mr. President, the UH Wahine Volleyball Team last season had a record of 33 wins and only one defeat. They played in the National Invitational Volleyball Tournament hosted by UCLA, where they were defending champions and where they suffered their single defeat of the season but still came in third place overall.

"They played at the prestigious Wendy's Classic, hosted by the University of the Pacific where they came in first place.

"They also played and came in first place at the Northwestern NCAA Regional Championships, hosted at San Luis Obispo, and of course, we know the result of the major tournament of the year, the NCAA Division I National Women's Championship, hosted at Stockton, where the team came in first place after beating Stanford and USC by 3-2 margins.

"Mr. President, as one of the tens of thousands of local fans that watched that final championship game against USC, let me extend the warm welcome of the Senate to the members of the winning team of players and advisors we have here today: Women's Athletic Director, Cindy Boerner; Assistant Coach, Dean Nowack; Women's Sports Information Director, Sue Crandall; Team Co-Captain and NCAA Division I All-American for the past two years, Deitre Collins; Team Co-Captain and another All-American, Kori Pulaski; team members, Niulii Heine, Sue Hlavenka, Sista Palakiko, Lee Ann Pestana, Kris Pulaski, Lisa Strand, Marcy Wurts, and Missy Yomes.

"And, Mr. President, I'd like to also acknowledge those who could not be here today, Head Coach, Dave Shoji; and team members, Joyce Kaapuni, Candy Kane, and Ohua Mahoe."

At 11:54 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:57 o'clock a.m.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 76) transmitting an Administration measure, N-11, relating to the High Technology Development Corporation, was read by the Clerk and was placed on file.

SENATE RESOLUTION

A resolution (S.R. No. 20), entitled: "SENATE RESOLUTION ENCOURAGING FIDUCIARY COMPANIES TO INVEST IN RESIDENTIAL REAL ESTATE LOANS AND MORTGAGES," was offered by Senators Young, Yamasaki, Hagino, Uwayne, Fernandes Salling, Mizuguchi, Chang, George, Soares and Henderson, and was read by the Clerk.

By unanimous consent, S.R. No. 20, was referred to the Committee on Housing and Urban Development.

INTRODUCTION OF SENATE BILLS

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Monday, February 14, 1983:

Senate Bills

No. 555 "A BILL FOR AN ACT RELATING TO SERVICE FEES."

Introduced by: Senator B. Kobayashi.

No. 556 "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION."

Introduced by: Senator B. Kobayashi.

No. 557 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."

Introduced by: Senator B. Kobayashi.

No. 558 "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)."

Introduced by: Senator B. Kobayashi.

No. 559 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."

Introduced by: Senator Carpenter.

No. 560 "A BILL FOR AN ACT

RELATING TO DISPOSITION OF CONVICTED DEFENDANTS."

Introduced by: Senator Carpenter.

No. 561 "A BILL FOR AN ACT RELATING TO DEATH OR PERSONAL INJURY RESULTING FROM THE NEGLIGENT OPERATION OR USE OF MOPEDES, BICYCLES, PEDICABS, ANIMALS, COASTERS, SLEDS, SKATEBOARDS, ROLLER SKATES, OR OTHER DEVICES."

Introduced by: Senator Carpenter.

No. 562 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ORDER."

Introduced by: Senator Carpenter.

No. 563 "A BILL FOR AN ACT RELATING TO DEFERRED ACCEPTANCE OF GUILTY PLEA."

Introduced by: Senator Carpenter.

No. 564 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS, RECORDS."

Introduced by: Senator Carpenter.

No. 565 "A BILL FOR AN ACT RELATING TO HAWAII RULES OF EVIDENCE."

Introduced by: Senators Carpenter, Machida, Cayetano, B. Kobayashi, Toguchi, Kuroda, Kawasaki and George.

No. 566 "A BILL FOR AN ACT RELATING TO CRIMINAL JUSTICE TRAINING ACADEMY."

Introduced by: Senator Carpenter.

No. 567 "A BILL FOR AN ACT RELATING TO JUSTIFICATION."

Introduced by: Senator Carpenter.

No. 568 "A BILL FOR AN ACT RELATING TO CHAPTER 704, HAWAII REVISED STATUTES."

Introduced by: Senator Carpenter.

No. 569 "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY AND FITNESS TO PROCEED."

Introduced by: Senator Carpenter.

No. 570 "A BILL FOR AN ACT RELATING TO CHAPTER 711, OFFENSES AGAINST PUBLIC ORDER."

- Introduced by: Senator Carpenter.
- No. 571 "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS."
- Introduced by: Senator Carpenter.
- No. 572 "A BILL FOR AN ACT RELATING TO THE CRIMINAL JUSTICE INTERAGENCY BOARD."
- Introduced by: Senator Carpenter.
- No. 573 "A BILL FOR AN ACT RELATING TO SPEEDY CRIMINAL PROCEEDINGS."
- Introduced by: Senator Carpenter.
- No. 574 "A BILL FOR AN ACT RELATING TO UNIFORM CONTROLLED SUBSTANCE."
- Introduced by: Senator Carpenter.
- No. 575 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES RETIREMENT SYSTEM OF THE STATE OF HAWAII."
- Introduced by: Senator Carpenter.
- No. 576 "A BILL FOR AN ACT RELATING TO FAMILY COURTS."
- Introduced by: Senator Carpenter.
- No. 577 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."
- Introduced by: Senator Carpenter, by request.
- No. 578 "A BILL FOR AN ACT RELATING TO BAIL BONDSMEN."
- Introduced by: Senators Carpenter, Machida, Cobb, George, Toguchi, Kuroda and Kawasaki.
- No. 579 "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY."
- Introduced by: Senators Carpenter, by request, and Kawasaki.
- No. 580 "A BILL FOR AN ACT RELATING TO LEGISLATIVE INVESTIGATING COMMITTEES."
- Introduced by: Senator Carpenter.
- No. 581 "A BILL FOR AN ACT RELATING TO MEDICAL TORTS."
- Introduced by: Senator Carpenter.
- No. 582 "A BILL FOR AN ACT RELATING TO DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL."
- Introduced by: Senator Carpenter.
- No. 583 "A BILL FOR AN ACT RELATING TO INTIMIDATION OF AN EDUCATIONAL WORKER."
- Introduced by: Senator Carpenter.
- No. 584 "A BILL FOR AN ACT RELATING TO ROBBERY."
- Introduced by: Senator Carpenter.
- No. 585 "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION."
- Introduced by: Senator Carpenter.
- No. 586 "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH AND MORALS."
- Introduced by: Senator Carpenter.
- No. 587 "A BILL FOR AN ACT RELATING TO DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL."
- Introduced by: Senator Carpenter.
- No. 588 "A BILL FOR AN ACT RELATING TO THE FORFEITURE OF CONVEYANCES USED TO PROMOTE PROSTITUTION."
- Introduced by: Senators Carpenter, B. Kobayashi, Kuroda, Kawasaki, Machida and Toguchi.
- No. 589 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STATE TAX FRAUD UNIT AND MAKING AN APPROPRIATION THEREFOR."
- Introduced by: Senators Carpenter, Machida, Cayetano, George, Toguchi and Kuroda.
- No. 590 "A BILL FOR AN ACT RELATING TO INSPECTION OF TAX RECORDS."
- Introduced by: Senators Carpenter, Machida, Cobb, Toguchi and Kuroda.
- No. 591 "A BILL FOR AN ACT RELATING TO PROFESSIONAL PEER REVIEW."
- Introduced by: Senators Carpenter, Machida, Cayetano, Kuroda and George.

No. 592 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CENTER FOR FORENSIC PSYCHIATRY."

Introduced by: Senators Carpenter, Machida, Cayetano, B. Kobayashi, George, Toguchi and Kuroda.

No. 593 "A BILL FOR AN ACT RELATING TO PROFESSIONAL PEER REVIEW."

Introduced by: Senators Carpenter, Machida, George, Toguchi and Kuroda.

No. 594 "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEFENDANTS."

Introduced by: Senator Carpenter.

No. 595 "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEFENDANTS."

Introduced by: Senator Carpenter.

No. 596 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senator Carpenter.

No. 597 "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE AND AMENDING CHAPTER 392, HAWAII REVISED STATUTES."

Introduced by: Senators Machida, Yamasaki, Uwaine, Kuroda, Aki, Holt and Mizuguchi.

No. 598 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Senators Machida, Yamasaki, Uwaine, Kuroda, Aki, Holt, Mizuguchi and Ajifu.

No. 599 "A BILL FOR AN ACT RELATING TO RETIREMENT BENEFITS OF PUBLIC OFFICERS AND EMPLOYEES."

Introduced by: Senators Machida, Yamasaki, Soares, Uwaine, Kuroda, Aki, Holt, Mizuguchi and Ajifu.

No. 600 "A BILL FOR AN ACT RELATING TO PURCHASING CREDITS FOR MILITARY SERVICE UNDER THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Machida, Yamasaki, Soares, Ajifu, Holt, Mizuguchi, Uwaine, Kuroda and Aki.

No. 601 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senators Machida, Yamasaki, Soares, Uwaine, Kuroda, Aki, Holt, Mizuguchi and Ajifu.

No. 602 "A BILL FOR AN ACT RELATING TO ORDINARY DISABILITY RETIREMENT UNDER THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Machida, Yamasaki, Soares, Uwaine, Kuroda, Aki, Holt and Mizuguchi.

No. 603 "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES."

Introduced by: Senators Machida, Yamasaki, Soares, Uwaine, Kuroda, Aki, Holt and Mizuguchi.

No. 604 "A BILL FOR AN ACT RELATING TO ALLOWANCE ON SERVICE RETIREMENT."

Introduced by: Senators Machida, Yamasaki, Soares, Uwaine, Kuroda, Aki, Holt, Mizuguchi and Ajifu.

No. 605 "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES."

Introduced by: Senators Machida, Yamasaki, Soares, Ajifu, Uwaine, Kuroda, Aki, Holt and Mizuguchi.

No. 606 "A BILL FOR AN ACT RELATING TO KONA AIRPORT PARK."

Introduced by Senator Solomon.

No. 607 "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE."

Introduced by: Senators Solomon, Uwaine, Ajifu, Soares, Holt, Cobb, Hagino, Kuroda, B. Kobayashi, Fernandes Salling, Toguchi, Carpenter, Mizuguchi and Yamasaki.

No. 608 "A BILL FOR AN ACT RELATING TO RENTAL ASSISTANCE."

Introduced by: Senator Young.

No. 609 "A BILL FOR AN ACT RELATING TO CHILD CARE."

Introduced by: Senator Young, Chang, Cayetano, Holt, Aki and Uwaine.

- No. 610 "A BILL FOR AN ACT RELATING TO PAROLES AND PARDONS."
Introduced by: Senator Carpenter.
- No. 611 "A BILL FOR AN ACT RELATING TO FURLOUGHS."
Introduced by: Senator Carpenter.
- No. 612 "A BILL FOR AN ACT RELATING TO SENTENCING."
Introduced by: Senator Carpenter.
- No. 613 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."
Introduced by: Senators Fernandes Salling, Kuroda, Yamasaki, Hagino, Young and Chang.
- No. 614 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS' BUDGET."
Introduced by: Senator Fernandes Salling, by request, Yamasaki, Chang and A. Kobayashi.
- No. 615 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."
Introduced by: Senators Fernandes Salling, by request, Toguchi, Yamasaki and Chang.
- No. 616 "A BILL FOR AN ACT RELATING TO LIMITATION OF REAL ACTIONS."
Introduced by: Senators Fernandes Salling, by request, Toguchi, Yamasaki, Chang and A. Kobayashi.
- No. 617 "A BILL FOR AN ACT RELATING TO QUIETING TITLE."
Introduced by: Senators Fernandes Salling, by request, Toguchi, Yamasaki, Chang, Hagino and A. Kobayashi.
- No. 618 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS' TRUSTEES."
Introduced by: Senators Fernandes Salling, by request, Toguchi, Yamasaki, Chang and A. Kobayashi.
- No. 619 "A BILL FOR AN ACT RELATING TO SEARCH AND SEIZURE."
Introduced by: Senators Soares, Ajifu, A. Kobayashi, George, Henderson and Toguchi.
- No. 620 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."
Introduced by: Senators Soares, Ajifu, A. Kobayashi, George and Henderson.
- No. 621 "A BILL FOR AN ACT RELATING TO CONSTITUTIONAL AMENDMENT, ARTICLE I, BILL OF RIGHTS."
Introduced by: Senator Carpenter, by request.
- No. 622 "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION."
Introduced by: Senator Carpenter.
- No. 623 "A BILL FOR AN ACT RELATING TO SENTENCING AND PAROLE."
Introduced by: Senator Carpenter.
- No. 624 "A BILL FOR AN ACT RELATING TO INVESTMENT TAX CREDITS."
Introduced by: Senators Carpenter, Cayetano, Toguchi, Machida, Henderson, Soares, Chang and A. Kobayashi.
- No. 625 "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE."
Introduced by: Senators Carpenter, Cayetano, Toguchi, Machida, Henderson, Soares, Chang and A. Kobayashi.
- No. 626 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
Introduced by: Senators Carpenter, Cayetano, Toguchi, Henderson, Soares, A. Kobayashi and Cobb.
- No. 627 "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, SEPARATION."
Introduced by: Senators Carpenter, Cayetano, Toguchi, Machida, Henderson, Soares, Chang, A. Kobayashi and Cobb.
- No. 628 "A BILL FOR AN ACT RELATING TO WORKER'S COMPENSATION."
Introduced by: Senators Carpenter, Cayetano, Toguchi, Machida, Henderson, Soares, A. Kobayashi and Cobb.

- No. 629 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE AID TO VICTIMS COORDINATOR PROGRAMS."
Introduced by: Senators Carpenter, Cayetano, Toguchi, Machida, Henderson, Soares, Chang and A. Kobayashi.
- No. 630 "A BILL FOR AN ACT RELATING TO PAROLE PROCEDURE."
Introduced by: Senator Carpenter.
- No. 631 "A BILL FOR AN ACT RELATING TO INVOLUNTARY CIVIL COMMITMENT UNDER MENTAL HEALTH LAW. ADMISSIONS FOR NONEMERGENCY TREATMENT OR SUPERVISION."
Introduced by: Senator Carpenter, by request.
- No. 632 "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES."
Introduced by: Senator Carpenter, by request.
- No. 633 "A BILL FOR AN ACT RELATING TO HAWAII YOUTH CORRECTIONAL FACILITIES."
Introduced by: Senator Carpenter, by request.
- No. 634 "A BILL FOR AN ACT RELATING TO RIGHTS OF VICTIMS AND WITNESSES IN CRIMINAL PROCEEDINGS."
Introduced by: Senator Carpenter.
- No. 635 "A BILL FOR AN ACT RELATING TO THE CRIMINAL JUSTICE SYSTEM."
Introduced by: Senator Carpenter, by request.
- No. 636 "A BILL FOR AN ACT RELATING TO FAMILY COURT RECORDS."
Introduced by: Senator Carpenter, by request.
- No. 637 "A BILL FOR AN ACT RELATING TO LIMITING COMMERCIAL EXPLOITATION OF CRIME."
Introduced by: Senator Carpenter.
- No. 638 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."
Introduced by: Senator Soares.
- No. 639 "A BILL FOR AN ACT RELATING TO SUBDIVISIONS."
Introduced by: Senators Carpenter, Cayetano, Henderson, Soares, A. Kobayashi, Fernandes Salling and Uwaine.
- No. 640 "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS."
Introduced by: Senators Carpenter, Henderson, Soares, A. Kobayashi, Cobb, Hagino, Fernandes Salling and Uwaine.
- No. 641 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Senators Carpenter, Henderson, Soares, Chang, A. Kobayashi, Fernandes Salling and Uwaine.
- No. 642 "A BILL FOR AN ACT RELATING TO VESTED RIGHTS."
Introduced by: Senators Carpenter, Cayetano, Henderson, Soares, A. Kobayashi, Fernandes Salling and Uwaine.
- No. 643 "A BILL FOR AN ACT RELATING TO DISPOSITION OF CONVICTED DEFENDANTS."
Introduced by: Senator Carpenter, by request.
- No. 644 "A BILL FOR AN ACT RELATING TO FELON REGISTRATION."
Introduced by: Senator Carpenter, by request.
- No. 645 "A BILL FOR AN ACT RELATING TO PRESENTENCE DIAGNOSIS."
Introduced by: Senator Carpenter, by request.
- No. 646 "A BILL FOR AN ACT RELATING TO PROBATION."
Introduced by: Senator Carpenter, by request.
- No. 647 "A BILL FOR AN ACT RELATING TO JURY VERDICTS."
Introduced by: Senator Carpenter.
- No. 648 "A BILL FOR AN ACT RELATING TO APPEALS BY THE STATE IN CRIMINAL CASES."

- Introduced by: Senator Carpenter, by request.
- No. 649 "A BILL FOR AN ACT RELATING TO OSTEOPATHY."
- Introduced by: Senator Carpenter, by request.
- No. 650 "A BILL FOR AN ACT RELATING TO POULTRY."
- Introduced by: Senator Wong, by request.
- No. 651 "A BILL FOR AN ACT RELATING TO STATE FAIRS."
- Introduced by: Senator Wong, by request.
- No. 652 "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT."
- Introduced by: Senator Wong, by request.
- No. 653 "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR."
- Introduced by: Senator Wong, by request.
- No. 654 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."
- Introduced by: Senator Wong, by request.
- No. 655 "A BILL FOR AN ACT RELATING TO HOSPITAL ADMINISTRATION IN THE COUNTY/STATE HOSPITAL SYSTEM."
- Introduced by: Senator Wong, by request.
- No. 656 "A BILL FOR AN ACT RELATING TO CONSERVATION AND RESOURCES."
- Introduced by: Senator Wong, by request.
- No. 657 "A BILL FOR AN ACT RELATING TO HEARINGS BEFORE THE BOARD OF LAND AND NATURAL RESOURCES."
- Introduced by: Senator Wong, by request.
- No. 659 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING."
- Introduced by: Senator Wong, by request.
- No. 662 "A BILL FOR AN ACT RELATING TO THE MOORING OF COMMERCIAL VESSELS IN SMALL BOAT HARBORS."
- Introduced by: Senator Wong, by request.
- No. 663 "A BILL FOR AN ACT RELATING TO CONCESSION BID DEPOSITS."
- Introduced by: Senator Wong, by request.
- No. 664 "A BILL FOR AN ACT RELATING TO TRANSPORTATION ASSISTANCE."
- Introduced by: Senator Cayetano.
- No. 665 "A BILL FOR AN ACT RELATING TO UNIFORM ENFORCEMENT OF FOREIGN JUDGMENTS."
- Introduced by: Senator Cayetano.
- No. 666 "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES."
- Introduced by: Senator Cayetano.
- No. 667 "A BILL FOR AN ACT RELATING TO HEALTH."
- Introduced by: Senators Machida, Yamasaki, Chang, A. Kobayashi, Solomon, Fernandes Salling and Henderson.
- No. 668 "A BILL FOR AN ACT RELATING TO HEALTH."
- Introduced by: Senators Machida, Yamasaki, Chang, A. Kobayashi, Solomon, Fernandes Salling and Henderson.
- No. 669 "A BILL FOR AN ACT RELATING TO HEALTH."
- Introduced by: Senators Machida, Yamasaki, Chang, A. Kobayashi and Solomon.
- No. 670 "A BILL FOR AN ACT RELATING TO HEALTH."
- Introduced by: Senators Machida, Yamasaki, Chang, A. Kobayashi, Solomon, Fernandes Salling and

Henderson.

No. 671 "A BILL FOR AN ACT RELATING TO SCHOOL BUS CONTRACTS."

Introduced by: Senators Machida, Mizuguchi, Yamasaki, Chang, A. Kobayashi, Solomon and Fernandes Salling.

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills were referred to print and were placed on the calendar for further consideration on Monday, February 14, 1983:

Senate Bills

No. 658 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."

Introduced by: Senator Wong, by request.

No. 660 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING."

Introduced by: Senator Wong, by request.

No. 661 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING."

Introduced by: Senator Wong, by request.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 16) informing the Senate that Senate Resolution No. 20 and Senate Bill Nos. 533 to 554 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Wednesday, February 9, 1983:

Senate Bills Referred to:

No. 500 Committee on Higher

Education, then to the Committee on Ways and Means

No. 501 Committee on Agriculture

No. 502 Committee on Ways and Means

No. 503 Committee on Hawaiian Programs

No. 504 Committee on Health

No. 505 Committee on Human Resources, then to the Committee on Ways and Means

No. 506 Committee on Human Resources, then to the Committee on Ways and Means

No. 507 Committee on Human Resources

No. 508 Committee on Human Resources

No. 509 Committee on Human Resources

No. 510 Committee on Human Resources

No. 511 Committee on Human Resources

No. 512 Committee on Human Resources, then to the Committee on Ways and Means.

No. 513 Committee on Agriculture, then to the Committee on Economic Development

No. 514 Committee on Consumer Protection and Commerce

No. 515 Committee on Consumer Protection and Commerce

No. 516 Committee on Consumer Protection and Commerce

No. 517 Committee on Housing and Urban Development

No. 518 Committee on Human Resources

No. 519 Committee on Human Resources

No. 520 Committee on Housing and Urban Development

No. 521 Committee on Ways and Means

No. 522 Committee on Ways and Means

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|---------|---|---------|--|
| No. 523 | Committee on Ways and Means | No. 542 | Committee on Economic Development, then to the Committee on Ways and Means |
| No. 524 | Committee on Transportation | No. 543 | Committee on Government Operations and County Relations, then to the Committee on Ways and Means |
| No. 525 | Committee on Transportation | No. 544 | Committee on Legislative Management |
| No. 526 | Committee on Economic Development | No. 545 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 527 | Committee on Economic Development | No. 546 | Committee on Government Operations and County Relations |
| No. 528 | Committee on Transportation | No. 547 | Committee on Government Operations and County Relations, then to the Committee on Ways and Means |
| No. 529 | Committee on Consumer Protection and Commerce | No. 548 | Committee on Legislative Management |
| No. 530 | Committee on Economic Development | No. 549 | Committee on Transportation, then to the Committee on Ways and Means |
| No. 531 | Committee on Consumer Protection and Commerce | No. 550 | Committee on Government Operations and County Relations, then to the Committee on Ways and Means |
| No. 532 | Committee on Judiciary, then to the Committee on Ways and Means | No. 551 | Committee on Tourism, then to the Committee on Ways and Means |
- The President then made the following committee assignments of bills that were introduced on Thursday, February 10, 1983:
- Senate Bills Referred to:
- | | | | |
|---------|---|---------|---|
| No. 533 | Committee on Judiciary, then to the Committee on Ways and Means | No. 552 | Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means. |
| No. 534 | Committee on Judiciary | No. 553 | Committee on Ways and Means |
| No. 535 | Committee on Transportation, then to the Committee on Ways and Means | No. 554 | Committee on Judiciary |
| No. 536 | Committee on Health, then to the Committee on Ways and Means | | |
| No. 537 | Committee on Health, then to the Committee on Ways and Means | | |
| No. 538 | Committee on Health, then to the Committee on Ways and Means | | |
| No. 539 | Committee on Human Resources, then to the Committee on Ways and Means | | |
| No. 540 | Committee on Human Resources, then to the Committee on Ways and Means | | |
| No. 541 | Committee on Transportation, then to the Committee on Judiciary | | |

At this time, Senator Kawasaki rose and addressed the members of the Senate as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I ask the indulgence of you as the presiding officer and my fellow senators in this body, in order to respond to the morning newspaper's distorted, biased discussion of a public issue in which the Legislature has been very prominently involved -- an issue in which we will, if we are to protect the public interests, continue to be involved.

"While we have, Mr. President, ordinarily convened for brief sessions daily since the opening of the

Legislature, with good reason, and perhaps given the gallery visitors a mistaken impression that not much goes on here in the Senate chambers, the importance to the consumer public of a reasonable understanding of the issue requires that we diligently devote some time and effort this morning to 'clear the air,' so to speak, and to respond to the biased presentation of the controversy which the Senate has been involved in since the year 1971 (In my case, however, I have been involved in this particular issue since 1964, even before I got into the Legislature) ironically, at the newspaper's request, when we were 'conned' into enacting privileged legislation for no other businesses but the two big daily newspapers.

"I've placed on your desks, Senators, excerpts from the Senate Journals for the years 1971 and 1972 to refresh the memories of those who participated in the debate on the issue in this very chamber. For the newer members of the Senate, you do not have copies of the Senate Journals in your offices and these extractions will give you a background of the issue and how the Senate of the State of Hawaii got involved.

"If you read the paper this morning, you must have immediately noticed the extraordinary amount of space devoted to the presentation of the newspaper's point of view of the judge's verdict -- a common practice with the morning newspaper, particularly. And, those of you who have been chairman of the Consumer Protection Committees, like Senator Joe Kuroda and Senator Dante Carpenter of the Judiciary Committee and Senator Cobb, also chairman in the past of the Consumer Protection Committee, you have noted much to our chagrin, the very little lineage we got in trying to present our points of view or points of view of people opposing this monopoly situation. Conversely, the newspapers, as you recall, would carry almost a line by line, verbatim reprint of Mr. Twiggs-Smith's prepared testimony during the hearings.

"All of this doesn't surprise me, having a contempt for the intellectual honesty or a sense of journalistic integrity of the morning paper's owner and editor.

"All of this doesn't surprise me, but I do challenge, Mr. President, several items found in the paper this morning.

"First of all, the concluding sentence of their half-page editorial...you have noticed incidentally, the amount of space devoted to this issue where they're involved...the concluding sentence reads as follows:

'With this decision, we prefer to look ahead rather than to the past. And we pledge to our readers and the public-at-large our continued dedication to responsible journalism and to helping advance the welfare of this great state.'

"I can well understand their wanting to forget the past, the past which is in my judgment, a seamy one.

"I had the privilege of attending every day of the trial, except for one day, and from what I had observed, I came to the realization that back in 1971 and 1972, we were -- and I use the word 'conned' by the newspapers into enacting a state statute identical in language to the federal statute, providing what they call, 'the preservation of the failing newspapers.'

"At that time, the editor of the Advertiser came to see me about their proposition, I said, 'Now, why do you need a state statute identical to the federal statute, when the federal statute would prevail? It would preempt us.' And, there were no other states among the twenty-two joint operations states that had a state statute in addition. The answer I got was, 'Well, we hate to have this hammer over our heads by the Attorney General's office.'

"My opinion at that time was, if you're doing something wrong, and if you're going to indulge in something in the way of predatory practices, trade abuses, as a consequence of the newspaper preservation act...the national preservation act, then indeed, you should have a hammer over your head. In any case, as sort of a concession to my very close friend, the presiding officer at that time, Senator David McClung, I very reluctantly voted for this measure. And the debate and the discussion that took place in those years are in the reprints that you find on your desks, and much to the credit of the Senators present here, who were much wiser than some of us, Senators Kuroda and Henderson, they voted against the statute as it stands today.

"Now, I want to point out some of the things that I find great objection to and as I said in the last sentence, that they say that they, 'will pledge

to the public-at-large their continued dedication to responsible journalism.'

"Let me ask the Honolulu Advertiser if devoting a half-page of the editorial page to this issue is 'responsible journalism.'

"Is the printing of pictures of every attorney representing their side -- prominent pictures -- with not a single picture of the competent, brilliant attorneys representing the City, not one picture, is this 'responsible journalism?'

"Is using a headline like 'Real Winner in Press Case: the Public,' is this 'responsible journalism?' I take exception to that.

"Really, Mr. President, the real winner of this controversy, this verdict, this biased verdict, in my judgment, is the Honolulu Advertiser, its owner and its editor -- the same editor who came here, exercised stock options, possibly at a price between \$9 and \$11 and about a year and a half ago, sold his shares for close to \$400 a share, an appreciation that is greater than any appreciation of any stock listed in the New York Stock Exchange, the American Exchange, or the over-the-counter market.

"The real winner in this case is Mr. Twigg-Smith who got to be a multimillionaire from the time he pleaded poverty back in 1962 when they said they must go into this joint operating agreement or the newspaper would fold, and I foolishly believed this as others had.

"I object to item No. 2. Item No. 2 says that, 'Fasi, in his deposition said the U.S. and Hawaii Newspaper Preservation Acts "stink" and should be repealed. (A few members of the Legislature share that view, as least as far as the state law is concerned, and regularly introduce legislation to break up the joint operation. They have done so again in the current session.)'

"This is in reference to three propositions co-introduced by many of you here and as the principal sponsors, Senator Fernandes Salling and myself. Let me explain that the three pieces of legislation, the three pieces of documents introduced here are not particularly to split the joint operating agreement, much as we object to it.

"The first bill was, first of all, to repeal the state statute which I believe is not needed, simply because

we have a federal statute; they preempt us. Just repeal the state statute, then if they want to go on making money,...millions of dollars...and pay \$2 million in cash dividends as they did in 1978, principally to one owner -- Twigg-Smith, that's their business. But let us repeal the state statute, which is found in no other state. We can't justify a statute providing privileged legislation to one industry, only the newspaper industry, particularly when they are making the kind of money they're making.

"That's one proposition. That is not to split them.

"The second proposition is to delete some language that the Justice Department attorneys objected to when this issue was debated in the halls of Congress -- that language allows these two newspapers and only these two newspapers (no other newspaper can join into this agreement, incidentally) to jointly solicit business, jointly set rates and jointly to pool profits.

"This kind of arrangement applied to any other business, any other trade, would rapidly bring the wrath of the Justice Department upon the heads of such trade organizations. You will recall about a year and a half ago where the hotels were heavily fined for their price fixing efforts in setting room rates. This is the language that we object to.

"The third proposition that we have, Mr. President, is to require that the newspapers annually report to the Attorney General's office, report to them primarily regarding their state of financial affairs. Now, when they wanted this legislation back in the 70's they asked us, the Legislature, to examine their financial situation. 'Look at our books; we're in terrible straits.' We unfortunately, foolishly did not examine their books, simply because we didn't think that we had staff capability to do a competent auditing job which is very complex, and I realized the complexity of such an inquiry while attending the trials.

"These are the three propositions we put on the floor of the Senate. These are the three propositions we advanced in previous sessions. This is not particularly to break up the arrangement. Further, if we did break up an arrangement by some bill that we pass as a statute, the national law says, 'any time two newspapers can prove that one newspaper is

about to fail financially, it can automatically go into a joint agreement,' notwithstanding whatever we do around here. So the argument that they put forth is a specious one.

"I also object to the quotation attributed to Judge Curtis, this biased judge in my judgment, and let me read what the Advertiser says, 'I conclude that no jury composed of reasonable people who understood and followed my instructions could come to any other conclusion in the light of the evidence taken as a whole.'

"I observed those trials for five weeks and it is to the credit of the citizens of this state, that three ladies, not lawyers, very patiently listening to all the evidence presented to them, three out of six ladies concluded that indeed the newspaper was not failing. Indeed, what had happened in those years was a carefully orchestrated, a very cunningly developed plan to go into a joint operating agreement. Insiders acquiring stocks, very quietly...incidentally, you can't buy Advertiser stocks over the counter today, at any price!

"These ladies very courageously voted that the newspapers were indeed not failing. Three others voted the other way.

"From my talking to people very close to the trial, I had found out six of these jurors, and there were only six jurors to begin with, were about to rule against the newspapers. But upon inquiry to the presiding judge, was the jury to consider the buildings and the assets of the Honolulu Advertiser as collateral assets?,' the judge replied 'they would not have to, not required to.'

"Apparently, this had turned the tables around and three people voted to say that the Advertiser was 'failing.' This resulted in a hung jury. A hung jury, in my judgment, is a victory for the City and the people of the State of Hawaii because the presumption of failing -- that situation of a failing newspaper -- was a burden upon the newspapers to prove.

"Interestingly enough, almost at the end of the trial -- I think it was the last two days of the trial -- when the newspapers and their attorneys recognized they were not winning their case, apparently their case was going to be lost before this jury, they very wisely and shrewdly by motion moved to have a directed

verdict from the judge...a directed verdict from the judge, totally disregarding the five weeks of expensive trial before jury! The newspaper articles did not elaborate on some of these kinds of situations in this particular issue!

"I also object to an explanation that the judge ruled that the City was 'too late, the statute of limitations prevailed' and so the newspaper's motion, one of the motions, that 'time had passed so we are now free to continue our joint operating agreement and the City should not win this case.'

"I tried to point out to people, including those people involved in that trial, and I volunteered to testify to show that while the City may not have instituted a suit against the newspapers' monopoly, which in the City's judgment was hurting the people of this state and this City. (Because the City pays for a lot of legal ads. The Attorney General's office pays for a lot of legal ads, so it affects the state, the city, the consumer, and the retail merchants.) So I tried to point out the fact that while the City may not have instituted a suit for 17 years, this does not mean that we have had no interest about this monopoly and how it affects the consumers of this state.

"I have tried to point out that we have had committee hearings in the Legislature; we have introduced bills, resolutions, and indeed, this was a very live subject. Unfortunately, Mr. Cooper did not see the need for my testimony before the judge.

"The point being here, Mr. President, that the newspapers are gloating this morning because much to their credit, they were wise enough to ask for a direct motion by the presiding judge, and he came up with a verdict in their favor.

"The newspapers, by their own admission, have spent over \$2 million in legal costs attendant to their case. The City spent \$400,000. And they come out with editorials saying 'how foolish the City is to have spent \$400,000.' Apparently, their case wasn't a very good one in their judgment because they saw nothing wrong about their spending \$2 million in comparison to the City's \$400,000. They've been trying to influence the City Council for weeks not to continue this suit; as a 'waste of the taxpayers' money.'

"In my judgment, Mr. President,

this is not a waste of the taxpayers' money. For the City to win this suit, to bring a result that will discontinue this joint operation is vitally important to the consumers of this state.

"Since the Legislature foolishly gave them a state statute, identical to the federal statute, the newspapers have raised their advertising rates nineteen times, if my counting is accurate, nineteen times! And, all of these costs are not absorbed by the retail merchants. They simply can't afford to absorb them. They pass them on to the consumers, and perhaps, this is a factor that goes into Hawaii being the highest food price state in the nation. And that is my concern!

"I have been trying to impress upon the City Council that notwithstanding a possible quarter of a million dollars additional cost to them to appeal and to go and take this case to the Ninth Circuit Court of Appeals in San Francisco. They should continue because it is in the public interest. I hope that the City Council would realize that indeed, this is a matter of vital importance to the consumers of the city, and of this island.

"It is for this reason that we have not discontinued our attempt, first of all to repeal the state statute. We can't justify a state statute to other businesses that do not have this kind of privilege. We continue to attempt to delete language that allows what is ordinarily a violation of the Sherman Anti-Trust Act provision that you cannot, in a business arrangement, jointly set prices, jointly pool profits and jointly solicit business. We're trying to repeal this. And because it was legislative action that provided the state statute on the books today, that gives these people special immunity privilege, we're saying that it is a legislative responsibility for us to require that these people report their financial situation annually to the Attorney General's office. They saw nothing wrong with this when they wanted us to look at their books -- they voluntarily asked us to look at their books, but, as I said, we did not.

"These are the basic reasons for our continued concern about the monopoly situation which has created

millionaires in this case, two inside millionaires...which has worked a hardship on the consumers of this state just as long as they can impudently raise their advertising rates every year as they have, all of which is affecting your pocketbook and mine.

"And it is for this reason that I have taken this time to try to explain our side of this issue in order that there would be reasonable understanding of what prompts us to continue on this issue.

"Thank you."

Senator Fernandes Salling then rose and stated:

"Mr. President, I rise on a point of personal privilege.

"I would just like to add to what Senator Kawasaki has said.

"The three bills that we are co-sponsoring will be heard in the Judiciary Committee on the 16th. Perhaps, I think the members should keep in mind that the decision of the court was based on financial records of the companies in 1962. It's been 20 years since then, and I don't think it unreasonable to require that they report to see if this kind of legislation is warranted today.

"Thank you."

The President then stated:

"The Chair would like to make an announcement. I would like to take this opportunity to mention just a few reminders.

"First of all, I think all of us are aware that next Tuesday is the cutoff date for the introduction of bills, so be sure that you can get your bills in by then.

"Second, if you have bills that are ready for introduction, please turn them in to the Clerk's office today.

ADJOURNMENT

At 12:20 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, February 14, 1983.

NINETEENTH DAY

Monday, February 14, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Captain Murray H. Voth, Fleet Chaplain, United States Pacific Fleet, after which the Roll was called showing all Senators present with the exception of Senators Carpenter, Henderson and Solomon who were excused.

The Chair announced that he had read and approved the Journal of the Eighteenth Day.

At this time, Senator Aki introduced Dr. Glenn Watanabe to the members of the Senate and stated:

"Mr. President, it gives me great pleasure to present to the Senate this morning Dr. Glenn Watanabe. Dr. Watanabe has been named 'Man of the Year' by the Hawaii Optometric Association. He is also chairman of the 1983 Save Your Vision Week Campaign; director and program coordinator of the Waipahu Business Association; director of the Leeward Jaycees; and is a coach for the Waianae Little League.

"With him today on this Valentine's Day is his friend Julie Miyasaki."

Dr. Watanabe was then presented with a Senate Certificate by Senator Aki and a lei by Senator Young.

At 11:39 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:41 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 77 and 79) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 77) transmitting a report prepared by the Department of Planning and Economic Development, January 1983, on House Resolution No. 142 (1982), requesting the Department of Planning and Economic Development to conduct a study in determining an index of productivity of the Hawaii Visitors Bureau's

Regional Offices on the U.S. Mainland and in Japan in promoting increased tourist travel to Hawaii, was referred to the Committee on Tourism.

A message from the Governor (Gov. Msg. No. 78) transmitting a report prepared by the Department of Land and Natural Resources, February 1983, on House Concurrent Resolution 173 (1982), relating to the Waikiki War Memorial Park and Natatorium, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 79), dated February 11, 1983, informing the Senate that the State of Hawaii received \$1,380,400 for federal energy conservation programs from the Secretary of Energy, authorized by the 1983 Further Continuing Appropriations Act, was placed on file.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 24 to 25) were read by the Clerk and were disposed of as follows:

A communication from the Office of the Auditor (Dept. Com. No. 24) transmitting copies of the report entitled: "Study of the Financing of the Unemployment Compensation Fund of the State of Hawaii," Report No. 83-12, February 1983, prepared by the Peat, Marwick, Mitchell & Co., in response to House Concurrent Resolution 103 (1982), was referred to the Committee on Human Resources.

A communication from the Department of the Attorney General (Dept. Com. No. 25) transmitting a report, pursuant to Act 161, Session Laws of Hawaii 1982, of legislative claims for refund for overpayment of taxes and miscellaneous claims which the Attorney General recommends denial, together with the documentation, was referred to the Committee on Judiciary.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 6) transmitting House Bill No. 328, H.D. 1, which passed Third Reading in the House of Representatives on February 11, 1983, was read by the Clerk and was placed on file.

On motion by Senator Cobb,

seconded by Senator Soares and carried, H.B. No. 328, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed First Reading by title and was referred to the Committee on Ways and Means.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 21 to 26) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 21), entitled: "SENATE RESOLUTION REQUESTING CONGRESS TO AMEND THE SOCIAL SECURITY LAW TO REFLECT THE FACT THAT UNIVERSAL INDIVIDUAL RETIREMENT ACCOUNTS ARE AVAILABLE," was offered by Senator Young, by request.

By unanimous consent, S.R. No. 21 was referred to the Committee on Human Resources.

A resolution (S.R. No. 22), entitled: "SENATE RESOLUTION ENCOURAGING CITIZENSHIP AND ETHICS TRAINING IN THE SCHOOLS," was offered by Senators Soares, Ajifu, A. Kobayashi, Henderson, Toguchi and Holt.

By unanimous consent, S.R. No. 22 was referred to the Committee on Education.

A resolution (S.R. No. 23), entitled: "SENATE RESOLUTION SUPPORTING AN INCREASE IN THE STAFF AND RESOURCES OF THE PROSECUTORS' OFFICES," was offered by Senators Soares, Ajifu, A. Kobayashi, George, Holt and Henderson.

By unanimous consent, S.R. No. 23 was referred to the Committee on Judiciary.

A resolution (S.R. No. 24), entitled: "SENATE RESOLUTION REQUESTING CRIME PREVENTION THROUGH HIGH VISIBILITY PATROLS," was offered by Senators Soares, Ajifu, A. Kobayashi, George, Henderson, Toguchi and Holt.

By unanimous consent, S.R. No. 24 was referred to the Committee on Judiciary.

A resolution (S.R. No. 25), entitled: "SENATE RESOLUTION REQUESTING THE CHIEF JUSTICE OF THE SUPREME COURT OF THE STATE OF HAWAII TO REDUCE

ADMINISTRATIVE DELAYS IN CRIMINAL PROCEEDINGS," was offered by Senators Soares, Ajifu, A. Kobayashi, George, Henderson and Holt.

By unanimous consent, S.R. No. 25 was referred to the Committee on Judiciary.

A resolution (S.R. No. 26), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON STANDARDIZING INCREASES IN MOTOR VEHICLE INSURANCE RATES," was offered by Senator Soares.

By unanimous consent, S.R. No. 26 was referred to the Committee on Consumer Protection and Commerce.

INTRODUCTION OF SENATE BILLS

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Tuesday, February 15, 1983:

Senate Bills

No. 672 "A BILL FOR AN ACT RELATING TO COOPERATIVE HOUSING CORPORATIONS."

Introduced by: Senator Ajifu.

No. 673 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STATE REVENUE SHARING PROGRAM FOR THE SEVERAL COUNTIES."

Introduced by: Senator Kawasaki, by request.

No. 674 "A BILL FOR AN ACT RELATING TO A TOURIST DESTINATION IMPROVEMENT FEE."

Introduced by: Senator Kawasaki.

No. 675 "A BILL FOR AN ACT AMENDING THE CONVEYANCE TAX LAW TO PROVIDE FOR COUNTY HOUSING FUNDS."

Introduced by: Senator Kawasaki, by request.

No. 676 "A BILL FOR AN ACT AMENDING SECTION 46-6, HAWAII REVISED STATUTES, RELATING TO PARKS AND PLAYGROUNDS FOR SUBDIVISIONS."

Introduced by: Senator Kawasaki.

No. 677 "A BILL FOR AN ACT RELATING TO REAL PROPERTY

TAX."

Introduced by: Senator Kawasaki.

No. 678 "A BILL FOR AN ACT RELATING TO THE EXCHANGE OF REAL PROPERTY."

Introduced by: Senator Kawasaki.

No. 679 "A BILL FOR AN ACT RELATING TO SALES OF REAL PROPERTY."

Introduced by: Senator Kawasaki, by request.

No. 680 "A BILL FOR AN ACT ESTABLISHING A PROGRAM TO PROVIDE OHANA UNITS TO ELDERLY AND HANDICAPPED PERSONS."

Introduced by: Senator Kawasaki.

No. 681 "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY."

Introduced by: Senator Kawasaki, by request.

No. 682 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senator Kawasaki.

No. 683 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senator Kawasaki.

No. 684 "A BILL FOR AN ACT RELATING TO THE STATE LAND USE COMMISSION."

Introduced by: Senator Kawasaki.

No. 685 "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS."

Introduced by: Senator Kawasaki, by request.

No. 686 "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY DOWN-PAYMENT LOAN PROGRAM."

Introduced by: Senator Kawasaki, by request.

No. 687 "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY."

Introduced by: Senator Kawasaki.

No. 688 "A BILL FOR AN ACT RELATING TO COUNTY LIQUOR

COMMISSIONS."

Introduced by: Senator Kawasaki.

No. 689 "A BILL FOR AN ACT TO AMEND CHAPTERS 237 AND 238, HAWAII REVISED STATUTES, RELATING TO GENERAL EXCISE TAX AND USE TAX LAW."

Introduced by: Senator Kawasaki, by request.

No. 690 "A BILL FOR AN ACT RELATING TO EXEMPTING COUNTIES FROM THE GENERAL EXCISE TAX."

Introduced by: Senator Kawasaki, by request.

No. 691 "A BILL FOR AN ACT RELATING TO THE STATE HIGHWAY FUND AND MAKING AN APPROPRIATION THEREFOR."

Introduced by: Senator Kawasaki, by request.

No. 692 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Senator Kawasaki, by request.

No. 693 "A BILL FOR AN ACT RELATING TO FINES AND FORFEITURES."

Introduced by: Senator Kawasaki, by request.

No. 694 "A BILL FOR AN ACT RELATING TO JOINT TORTFEASORS LIABILITY."

Introduced by: Senator Kawasaki.

No. 695 "A BILL FOR AN ACT RELATING TO DOG CONTROL."

Introduced by: Senator Kawasaki.

No. 696 "A BILL FOR AN ACT RELATING TO HIGHWAY MAINTENANCE."

Introduced by: Senator Kawasaki.

No. 697 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senator Kawasaki, by request.

No. 698 "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION."

Introduced by: Senator Kawasaki,

- by request.
- No. 699 "A BILL FOR AN ACT RELATING TO TIME SHARING."
Introduced by: Senator Kawasaki.
- No. 700 "A BILL FOR AN ACT RELATING TO THE ACQUISITION OF LANDS FOR PUBLIC RIGHTS-OF-WAY AND PUBLIC TRANSIT CORRIDORS."
Introduced by: Senator Kawasaki.
- No. 701 "A BILL FOR AN ACT RELATING TO GOVERNMENT MINERAL RIGHTS."
Introduced by: Senator Kawasaki.
- No. 702 "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES."
Introduced by: Senator Young, by request.
- No. 703 "A BILL FOR AN ACT RELATING TO HOUSING."
Introduced by: Senator Young.
- No. 704 "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM."
Introduced by: Senator Young.
- No. 705 "A BILL FOR AN ACT RELATING TO DRUGS."
Introduced by: Senator Hagino.
- No. 706 "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE SAFETY RESPONSIBILITY ACT."
Introduced by: Senators Chang, Cobb, Solomon, Cayetano, A. Kobayashi, Kuroda, B. Kobayashi, Yamasaki and Toguchi.
- No. 707 "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES."
Introduced by: Senator Chang, by request.
- No. 708 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."
Introduced by: Senators Chang, Cobb, Carpenter, Hagino, Solomon, Fernandes Salling, Henderson and A. Kobayashi.
- No. 709 "A BILL FOR AN ACT RELATING TO INSURANCE."
Introduced by: Senators Chang, Cobb, Carpenter, Hagino, Solomon, Fernandes Salling and A. Kobayashi.
- No. 710 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS BY COUNTIES TO FINANCE PROCESSING ENTERPRISES."
Introduced by: Senators Chang, by request, Carpenter, Henderson and Solomon.
- No. 711 "A BILL FOR AN ACT RELATING TO PRACTICING PSYCHOLOGISTS."
Introduced by: Senator Chang, by request.
- No. 712 "A BILL FOR AN ACT RELATING TO ROBBERY."
Introduced by: Senator Chang, by request.
- No. 713 "A BILL FOR AN ACT RELATING TO ELECTRICIANS AND PLUMBERS."
Introduced by: Senators Solomon, Holt, Yamasaki and Aki.
- No. 714 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."
Introduced by: Senators Solomon, by request, Ajifu, Yamasaki, Aki and Fernandes Salling.
- No. 715 "A BILL FOR AN ACT RELATING TO CONSUMERISM IN PUBLIC UTILITIES REGULATION."
Introduced by: Senators Solomon, Ajifu, Toguchi, Aki and Fernandes Salling.
- No. 716 "A BILL FOR AN ACT RELATING TO THE AGRICULTURAL TRAINING FACILITIES PROGRAM."
Introduced by: Senators Solomon, Holt, Ajifu, Soares, Yamasaki, Toguchi, Aki, Fernandes Salling and Mizuguchi.
- No. 717 "A BILL FOR AN ACT RELATING TO PREVENTIVE MEDICINE."
Introduced by: Senators Solomon, Holt, Ajifu, Yamasaki, Toguchi, Aki, Fernandes Salling and Mizuguchi.

No. 718 "A BILL FOR AN ACT RELATING TO A CHILDRENS TRUST FUND."

Introduced by: Senators Solomon, Holt, Ajifu, Soares, Toguchi, Aki, Fernandes Salling and Mizuguchi.

No. 719 "A BILL FOR AN ACT RELATING TO CARE HOME OPERATORS."

Introduced by: Senators Fernandes Salling, Machida, Chang, Cayetano, Abercrombie and Uwaine.

No. 720 "A BILL FOR AN ACT RELATING TO COUNTY COUNCIL EMPLOYEES."

Introduced by: Senators Fernandes Salling, by request, Toguchi, Yamasaki, Chang, Cayetano, Abercrombie and Uwaine.

No. 721 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senators Fernandes Salling, by request, Toguchi, Chang, Abercrombie and Uwaine.

No. 722 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS."

Introduced by: Senators Fernandes Salling, Toguchi, Uwaine, Holt and Abercrombie.

No. 723 "A BILL FOR AN ACT RELATING TO KAUAI COUNTY."

Introduced by: Senators Fernandes Salling, by request, Cayetano, Toguchi, Soares, Holt, Cobb, Yamasaki, Abercrombie and Uwaine.

No. 724 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION."

Introduced by: Senator Fernandes Salling, Uwaine, Chang and Abercrombie.

No. 725 "A BILL FOR AN ACT RELATING TO CONSUMER COMPLAINTS; PROCEDURES AND REMEDIES."

Introduced by: Senators Fernandes Salling, Toguchi, Machida, Chang, Cayetano, Abercrombie and Uwaine.

No. 726 "A BILL FOR AN ACT RELATING TO TAX RELIEF FOR NATURAL DISASTER LOSSES."

Introduced by: Senators Fernandes Salling, Toguchi, Machida, Chang, Cayetano, Abercrombie and Uwaine.

No. 727 "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE."

Introduced by: Senator Kawasaki.

No. 728 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS BY COUNTIES TO FINANCE PROCESSING ENTERPRISES."

Introduced by: Senator Kawasaki, by request.

No. 729 "A BILL FOR AN ACT RELATING TO REIMBURSEMENT TO THE CITY AND COUNTY OF HONOLULU UNDER SECTION 70-111, HAWAII REVISED STATUTES, FOR ADVANCES MADE BY IT FOR THE STATE'S SHARE OF THE COST OF IMPROVEMENTS ASSESSED AGAINST PUBLIC AND EXEMPT LANDS IN THE VARIOUS IMPROVEMENT DISTRICTS WITHIN THE CITY AND COUNTY OF HONOLULU AND MAKING APPROPRIATION THEREFOR."

Introduced by: Senator Kawasaki, by request.

No. 730 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU FOR IMPROVEMENTS TO MOANALUA ROAD, OAHU."

Introduced by: Senator Kawasaki, by request.

No. 731 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU FOR IMPROVEMENTS TO GOVERNMENT ROADS IN WAIANA'E."

Introduced by: Senator Kawasaki, by request.

No. 732 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU FOR IMPROVEMENTS TO WILSON TUNNEL VENTILATION AND LIGHTING SYSTEMS, OAHU."

Introduced by: Senator Kawasaki, by request.

No. 733 "A BILL FOR AN ACT RELATING TO ESTABLISHING A

GENERAL EXCISE TAX RATE FOR
A GOVERNMENT SERVICE
COMPANY."

Introduced by: Senator Kawasaki,
by request.

No. 734 "A BILL FOR AN ACT
RELATING TO SERVICE-
CONNECTED OCCUPATIONAL
DISABILITY RETIREMENT."

Introduced by: Senator Kawasaki.

No. 735 "A BILL FOR AN ACT
RELATING TO PUBLIC
ACCOUNTANCY."

Introduced by: Senators B. Koba-
yashi, Uwaine and Chang.

No. 736 "A BILL FOR AN ACT
RELATING TO INCOME
TAXATION."

Introduced by: Senator B. Koba-
yashi.

No. 737 "A BILL FOR AN ACT
RELATING TO DRIVING UNDER
THE INFLUENCE OF INTOXICATING
LIQUOR."

Introduced by: Senators B. Koba-
yashi, Chang and Cayetano.

No. 738 "A BILL FOR AN ACT
PROPOSING AN AMENDMENT TO
ARTICLE I, SECTION 13, OF THE
HAWAII CONSTITUTION, TO
CHANGE THE NUMBER OF JURORS
IN CIVIL CASES."

Introduced by: Senators B. Koba-
yashi, Cayetano, Uwaine and
Chang.

No. 739 "A BILL FOR AN ACT
RELATING TO THE STATEWIDE
TRAFFIC CODE."

Introduced by: Senator Uwaine.

No. 740 "A BILL FOR AN ACT
RELATING TO OFF-ROAD
VEHICLES."

Introduced by: Senator Uwaine.

No. 741 "A BILL FOR AN ACT
RELATING TO COUNTY VEHICULAR
TAX REFUNDS; VEHICLES
REMOVED FROM THE STATE;
JUNKED VEHICLES; VEHICLES
BROUGHT INTO THE STATE;
EXEMPTIONS FOR STORED
VEHICLES."

Introduced by: Senator Uwaine.

No. 742 "A BILL FOR AN ACT

RELATING TO DERELICT VEHICLE;
SALE OF ABANDONED VEHICLES
BY TOWING COMPANIES; AND
MOTOR VEHICLE REPAIR
BUSINESS."

Introduced by: Senator Uwaine.

No. 743 "A BILL FOR AN ACT
RELATING TO THE USE OF MOTOR
VEHICLE EQUIPMENT."

Introduced by: Senator Uwaine.

No. 744 "A BILL FOR AN ACT
RELATING TO THE PUBLIC
EMPLOYEES' RETIREMENT
SYSTEM."

Introduced by: Senators Uwaine
and Chang.

No. 745 "A BILL FOR AN ACT
RELATING TO TAXES ON CERTAIN
DRUGS."

Introduced by: Senator Uwaine.

No. 746 "A BILL FOR AN ACT
RELATING TO ANNULMENT,
DIVORCE, AND SEPARATION."

Introduced by: Senator George.

No. 747 "A BILL FOR AN ACT
RELATING TO ANNULMENT,
DIVORCE, AND SEPARATION."

Introduced by: Senator George.

No. 748 "A BILL FOR AN ACT
RELATING TO ANNULMENT,
DIVORCE, AND SEPARATION."

Introduced by: Senator George.

No. 749 "A BILL FOR AN ACT
RELATING TO HIGHWAY SAFETY."

Introduced by: Senator George.

No. 750 "A BILL FOR AN ACT
RELATING TO VOTER
INFORMATION PAMPHLETS."

Introduced by: Senator George.

No. 751 "A BILL FOR AN ACT
PROPOSING AN AMENDMENT TO
ARTICLE III, SECTION 12, OF THE
HAWAII CONSTITUTION RELATING
TO ORGANIZATION; DISCIPLINE;
RULES; PROCEDURE."

Introduced by: Senator George.

No. 752 "A BILL FOR AN ACT
PROPOSING AN AMENDMENT TO
ARTICLE II OF THE HAWAII CON-
STITUTION, BY ADDING A NEW
SECTION RELATING TO VOTES

- REQUIRED FOR ELECTION."
Introduced by: Senator George.
- No. 753 "A BILL FOR AN ACT RELATING TO THE CONSOLIDATION OF APPLICATIONS FOR PERMITS AND APPROVALS."
Introduced by: Senator Cayetano, by request.
- No. 754 "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES."
Introduced by: Senator Cayetano, by request.
- No. 755 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR CONSTRUCTION OF AN ETHANOL PLANT."
Introduced by: Senator Cayetano.
- No. 756 "A BILL FOR AN ACT RELATING TO FILM MAKING."
Introduced by: Senator Cayetano.
- No. 757 "A BILL FOR AN ACT RELATING TO CONTRACTORS."
Introduced by: Senator Hagino.
- No. 758 "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE STATUS OF WOMEN."
Introduced by: Senator A. Kobayashi, by request.
- No. 759 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STATE PARK LIFE-SAVING SERVICES PROGRAM."
Introduced by: Senators A. Kobayashi, Ajifu, Cobb, Chang, Kuroda, Fernandes Salling and Machida.
- No. 760 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."
Introduced by: Senators A. Kobayashi, Ajifu, Cobb, Chang, Kuroda, Fernandes Salling, B. Kobayashi and Machida.
- No. 761 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."
Introduced by: Senators A. Kobayashi, Ajifu, Chang, Kuroda, Machida and Fernandes Salling.
- No. 762 "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES."
Introduced by: Senators A. Kobayashi, Ajifu, Cobb, Kuroda, B. Kobayashi, Fernandes Salling and Machida.
- No. 763 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE EIGHTH SENATORIAL DISTRICT."
Introduced by: Senators A. Kobayashi and Cobb.
- No. 764 "A BILL FOR AN ACT RELATING TO CONTRACTS."
Introduced by: Senator Chang, by request.
- No. 765 "A BILL FOR AN ACT RELATING TO SHOPLIFTING."
Introduced by: Senator Chang, by request.
- No. 766 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY."
Introduced by: Senator Chang, by request.
- No. 767 "A BILL FOR AN ACT RELATING TO INSURANCE."
Introduced by: Senators Chang, Cobb, Carpenter, Kuroda, Abercrombie, Henderson, Solomon, Hagino, Uwaine, Fernandes Salling, Cayetano and Toguchi.
- No. 768 "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OR SERVICE."
Introduced by: Senators B. Kobayashi, Machida, Kawasaki, Mizuguchi and Aki.
- No. 769 "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES."
Introduced by: Senator Ajifu.
- No. 770 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY PERSONNEL."
Introduced by: Senators Machida, Kuroda, Toguchi, Ajifu, Uwaine, Fernandes Salling, Cobb, B. Kobayashi, Chang, Cayetano, Yamasaki, Aki, Mizuguchi and Holt.

No. 771 "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS."

Introduced by: Senators Machida, Ajifu, Uwaine, Kuroda, Mizuguchi, Cobb, Aki, B. Kobayashi, Holt and Chang.

No. 772 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senator Machida, by request.

No. 773 "A BILL FOR AN ACT RELATING TO TAXATION OF RELATED CORPORATIONS."

Introduced by: Senators Henderson, Soares, A. Kobayashi, George and Ajifu.

No. 774 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Cobb.

No. 775 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Cobb.

No. 776 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Cobb, Chang, Yamasaki, Toguchi, A. Kobayashi, Machida and Kuroda.

No. 777 "A BILL FOR AN ACT RELATING TO FOREIGN LENDERS."

Introduced by: Senators Cobb, Chang, Yamasaki, Toguchi, Machida, A. Kobayashi and Uwaine.

No. 778 "A BILL FOR AN ACT RELATING TO AUCTIONS."

Introduced by: Senator Cobb, by request.

No. 779 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Senators Cobb, Solomon, Yamasaki, Aki, A. Kobayashi, Hagino, Kuroda, Ajifu, Kawasaki and Carpenter.

No. 780 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Introduced by: Senators Cobb,

Ajifu, Kuroda, Carpenter, Toguchi, A. Kobayashi, Aki and Soares.

No. 781 "A BILL FOR AN ACT RELATING TO TRANSIENT VACATION RENTALS."

Introduced by: Senators Cobb, Fernandes Salling, Hagino, Chang, Carpenter, Soares, Young, Toguchi, Uwaine, A. Kobayashi and Ajifu.

No. 782 "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES."

Introduced by: Senators Cobb, Chang, Yamasaki, A. Kobayashi, Machida and Kuroda.

No. 783 "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES."

Introduced by: Senators Cobb, Chang, Yamasaki, A. Kobayashi, Machida and Kuroda.

No. 784 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Cobb, Carpenter, Hagino, Solomon, Cayetano, Soares, Henderson and A. Kobayashi.

No. 785 "A BILL FOR AN ACT RELATING TO CREDIT SALES."

Introduced by: Senators Cobb, Chang, Yamasaki, Machida, A. Kobayashi and Uwaine.

No. 786 "A BILL FOR AN ACT RELATING TO TIME SHARING."

Introduced by: Senators Cobb, Chang, Yamasaki, Toguchi, A. Kobayashi and Kuroda.

No. 787 "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES."

Introduced by: Senators Cobb, Kuroda, Solomon, A. Kobayashi, Ajifu, Chang, Holt, Aki, Uwaine and Cayetano.

No. 788 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Introduced by: Senators Cobb, Chang, George, Fernandes Salling, Hagino, Carpenter, Soares, Toguchi, Uwaine, A. Kobayashi and Young.

No. 789 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

- Introduced by: Senators Cobb, Chang, Yamasaki, Toguchi, A. Kobayashi, Machida and Kuroda.
- No. 790 "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW."
- Introduced by: Senators Cobb, Chang, Yamasaki, Toguchi, A. Kobayashi, Uwaine and Machida.
- No. 791 "A BILL FOR AN ACT RELATING TO THE INSURANCE COMMISSIONER."
- Introduced by: Senators Cobb, Fernandes Salling, Chang, Toguchi, A. Kobayashi and Uwaine.
- No. 792 "A BILL FOR AN ACT RELATING TO INSURANCE."
- Introduced by: Senators Cobb, Chang, Yamasaki, Toguchi, A. Kobayashi, Machida and Kuroda.
- No. 793 "A BILL FOR AN ACT RELATING TO OPTIONAL ADDITIONAL NO-FAULT INSURANCE."
- Introduced by: Senator Cobb, by request.
- No. 794 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE LIABILITY."
- Introduced by: Senator Cobb, by request.
- No. 795 "A BILL FOR AN ACT RELATING TO THE NO-FAULT MOTOR VEHICLE LAW."
- Introduced by: Senator Cobb, by request.
- No. 796 "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE."
- Introduced by: Senator Cobb, by request.
- No. 797 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."
- Introduced by: Senator Cobb.
- No. 798 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."
- Introduced by: Senators Cobb, Aki, Kuroda, Uwaine, Yamasaki, Solomon, Henderson, A. Kobayashi, Ajifu and Young.
- No. 799 "A BILL FOR AN ACT RELATING TO COUNTIES."
- Introduced by: Senators Chang, Cobb, Carpenter, Kuroda, Henderson, Solomon, Abercrombie, Hagino, Uwaine, Fernandes Salling, Cayetano, Machida, A. Kobayashi and Aki.
- No. 800 "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONAL CONCILIATION PANEL."
- Introduced by: Senators Chang, A. Kobayashi, Uwaine, Aki, Kawasaki and Fernandes Salling.
- No. 801 "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES."
- Introduced by: Senators Chang, Cobb, Uwaine, Aki, Kawasaki and Fernandes Salling.
- No. 802 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."
- Introduced by: Senators Chang, by request, Abercrombie and Aki.
- No. 803 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM."
- Introduced by: Senators Uwaine, Chang, Cobb, Aki, Machida and A. Kobayashi.
- No. 804 "A BILL FOR AN ACT RELATING TO PROTECTION OF INSTREAM USES OF WATER."
- Introduced by: Senators Chang, Solomon, Hagino, Uwaine, Cayetano, Soares, Cobb, Toguchi, Abercrombie, Machida, A. Kobayashi and Aki.

SPECIAL COMMITTEE REPORT

Senator Soares, for the Senate Ad Hoc Interim Committee which was formed by the Public Utilities Committee of the Eleventh Legislature to study and submit amendments to Chapter 269 of the Hawaii Revised Statutes relating to public utilities, presented a report (Spec. Com. Rep. No. 4) with certain findings and recommendations.

By unanimous consent, the report of the Committee was received and placed on file.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented

a report (Stand. Com. Rep. No. 17) informing the Senate that Special Committee Report No. 4, Senate Resolution Nos. 21 to 26, and Senate Bill Nos. 555 to 671 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Friday, February 11, 1983:

Senate Bills Referred to:

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|---------|--|---------|---|
| No. 555 | Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means | No. 571 | Committee on Judiciary |
| No. 556 | Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means | No. 572 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 557 | Committee on Government Operations and County Relations, then to the Committee on Ways and Means | No. 573 | Committee on Judiciary |
| No. 558 | Committee on Consumer Protection and Commerce | No. 574 | Committee on Judiciary |
| No. 559 | Committee on Human Resources, then to the Committee on Ways and Means | No. 575 | Committee on Human Resources, then to the Committee on Ways and Means |
| No. 560 | Committee on Judiciary | No. 576 | Committee on Judiciary |
| No. 561 | Committee on Judiciary | No. 577 | Committee on Judiciary |
| No. 562 | Committee on Judiciary | No. 578 | Committee on Judiciary |
| No. 563 | Committee on Judiciary | No. 579 | Committee on Judiciary |
| No. 564 | Committee on Government Operations and County Relations, then to the Committee on Judiciary | No. 580 | Committee on Judiciary |
| No. 565 | Committee on Judiciary | No. 581 | Committee on Consumer Protection and Commerce |
| No. 566 | Committee on Judiciary, then to the Committee on Ways and Means | No. 582 | Committee on Transportation, then to the Committee on Judiciary |
| No. 567 | Committee on Judiciary | No. 583 | Committee on Judiciary |
| No. 568 | Committee on Judiciary | No. 584 | Committee on Judiciary |
| No. 569 | Committee on Judiciary | No. 585 | Committee on Judiciary |
| No. 570 | Committee on Judiciary | No. 586 | Committee on Judiciary |
| | | No. 587 | Committee on Transportation, then to the Committee on Judiciary |
| | | No. 588 | Committee on Judiciary |
| | | No. 589 | Committee on Judiciary, then to the Committee on Ways and Means |
| | | No. 590 | Committee on Judiciary, then to the Committee on Ways and Means |
| | | No. 591 | Committee on Health, then to the Committee on Judiciary |
| | | No. 592 | Committee on Health, then to the Committee on Ways and Means |
| | | No. 593 | Committee on Health, then to the Committee on Judiciary |
| | | No. 594 | Committee on Judiciary |
| | | No. 595 | Committee on Judiciary |
| | | No. 596 | Committee on Judiciary |
| | | No. 597 | Committee on Human Resources, then to the Committee |

on Ways and Means	No. 619	Committee on Judiciary
No. 598 Committee on Govern- ment Operations and County Re- lations, then to the Committee on Judiciary	No. 620	Committee on Economic Development, then to the Committee on Ways and Means
No. 599 Committee on Human Resources, then to the Committee on Ways and Means	No. 621	Committee on Judiciary
No. 600 Committee on Human Resources, then to the Committee on Ways and Means	No. 622	Committee on Judiciary
No. 601 Committee on Human Resources, then to the Committee on Ways and Means	No. 623	Committee on Judiciary
No. 602 Committee on Human Resources, then to the Committee on Ways and Means	No. 624	Committee on Agricult- ure, then to the Committee on Ways and Means
No. 603 Committee on Human Resources, then to the Committee on Ways and Means	No. 625	Committee on Consumer Protection and Commerce
No. 604 Committee on Human Resources, then to the Committee on Ways and Means	No. 626	Committee on Human Resources
No. 605 Committee on Health	No. 627	Committee on Judiciary
No. 606 Committee on Ecology, Environment and Recreation	No. 628	Committee on Human Resources
No. 607 Committee on Govern- ment Operations and County Re- lations, then to the Committee on Ways and Means	No. 629	Committee on Legislative Management
No. 608 Committee on Housing and Urban Development, then to the Committee on Ways and Means	No. 630	Committee on Judiciary
No. 609 Committee on Housing and Urban Development	No. 631	Committee on Judiciary
No. 610 Committee on Judiciary	No. 632	Committee on Judiciary, then to the Committee on Ways and Means
No. 611 Committee on Judiciary	No. 633	Committee on Judiciary, then to the Committee on Ways and Means
No. 612 Committee on Judiciary	No. 634	Committee on Judiciary, then to the Committee on Ways and Means
No. 613 Committee on Economic Development	No. 635	Committee on Judiciary, then to the Committee on Ways and Means
No. 614 Committee on Hawaiian Programs, then to the Committee on Ways and Means	No. 636	Committee on Judiciary
No. 615 Committee on Ecology, Environment and Recreation	No. 637	Committee on Judiciary
No. 616 Committee on Judiciary	No. 638	Committee on Consumer Protection and Commerce
No. 617 Committee on Judiciary	No. 639	Committee on Housing and Urban Development
No. 618 Committee on Hawaiian Programs	No. 640	Committee on Consumer Protection and Commerce, then to the Committee on Judiciary
	No. 641	Committee on Agricult- ure, then to the Committee on Ways and Means
	No. 642	Committee on Housing and Urban Development

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|---------|---|---------|---|
| No. 643 | Committee on Judiciary | No. 665 | Committee on Judiciary |
| No. 644 | Committee on Judiciary | No. 666 | Committee on Consumer Protection and Commerce |
| No. 645 | Committee on Judiciary | No. 667 | Committee on Health, then to the Committee on Ways and Means |
| No. 646 | Committee on Judiciary | No. 668 | Committee on Health, then to the Committee on Ways and Means |
| No. 647 | Committee on Judiciary | No. 669 | Committee on Health |
| No. 648 | Committee on Judiciary | No. 670 | Committee on Health |
| No. 649 | Committee on Health, then to the Committee on Consumer Protection and Commerce. | No. 671 | Committee on Education, then to the Committee on Ways and Means |
| No. 650 | Committee on Agriculture | | |
| No. 651 | Committee on Agriculture | | |
| No. 652 | Committee on Judiciary | | |
| No. 653 | Committee on Judiciary, then to the Committee on Ways and Means | | |
| No. 654 | Committee on Hawaiian Programs, then to the Committee on Ways and Means | | |
| No. 655 | Committee on Health, then to the Committee on Ways and Means | | |
| No. 656 | Committee on Ecology, Environment and Recreation | | |
| No. 657 | Committee on Economic Development | | |
| No. 658 | Committee on Human Resources, then to the Committee on Ways and Means | | |
| No. 659 | Committee on Human Resources, then to the Committee on Ways and Means | | |
| No. 660 | Committee on Human Resources, then to the Committee on Ways and Means | | |
| No. 661 | Committee on Human Resources, then to the Committee on Ways and Means | | |
| No. 662 | Committee on Ecology, Environment and Recreation | | |
| No. 663 | Committee on Government Operations and County Relations | | |
| No. 664 | Committee on Human Resources | | |

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:46 o'clock a.m.

Senator Abercrombie then rose to state as follows:

"Mr. President, I'd like to thank all the members of the Senate for signing the (Senate) certificate for a great entertainer, Willie Nelson, whom we honored several years ago.

"He's not able to be here today; he's on Maui; he'll be coming back for his concert this evening. I was pleased to be invited by him to his concert last night and will be attending this evening again, and we will give this certificate to him at the Blaisdell this evening. He was kind enough to not only invite me but my entire staff to be his guests for the concert.

"I'm very happy to say that he's going to be a part-time, if not as much a full-time, resident of the State of Hawaii as much as he can be, and he's very grateful to the Senate for its recognition of the work that he has done and hopes to be a contributing citizen in the State of Hawaii.

"Thank you very much."

ADJOURNMENT

At 11:52 o'clock a.m., on motion by Senator Cobb; seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, February 15, 1983.

TWENTIETH DAY

Tuesday, February 15, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by the Reverend Theodore Ogoshi, Pastor of the Makiki Christian Church, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Nineteenth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Kuroda introduced a group of students from Mid-Pacific Institute.

Senator Soares then rose and stated:

"Mr. President, I don't see the guests that I planned to introduce this morning in the gallery yet. I think they are over in the House Chambers.

"The Tuesday before the Lenten season begins is called Shrove Tuesday; it is also called 'Malassada Day' in the Portuguese Community, and we have been given a treat this morning by having the Hawaii Council on Portuguese Heritage distribute a box of malassadas to all of the Senate offices as well as the House offices. They would, of course, like to have the Senators and staff members enjoy this Portuguese doughnut.

"They are here this morning and I want to at least announce their names...I don't see them yet; they are over in the House Chambers, I'm sure, but if I may at least announce that we have Mrs. Laura Figueira and Beverly Luiz of the Hawaii Council on Portuguese Heritage; Edna Ryan of the Portuguese Chamber of Commerce; Miss Loretta Hess of the Camoes Players; Mr. John Peru of the Portuguese Pioneer Civic Association; and also Mary Carvalho and Frank Spinola of the Camoes Players; along with a member of the Friends of the HCPH, Mr. James Curtis.

"On behalf of the Senate, I'd like to thank the Council for these delicious doughnuts here this morning on the day before Ash Wednesday, which begin the Catholic Lenten season.

"I hope that they do come by a little later on so that we may recognize them and thank them for the treat this morning.

"Thank you."

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 7 to 11), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 7) transmitting House Bill No. 166, H.D. 1, which passed Third Reading in the House of Representatives on February 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 166, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL INSURANCE," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 8) transmitting House Bill No. 251, H.D. 1, which passed Third Reading in the House of Representatives on February 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 251, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WILD BIRD, GAME BIRD, AND GAME MAMMAL PERMITS," passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 9) transmitting House Bill No. 256, H.D. 1, which passed Third Reading in the House of Representatives on February 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 256, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 10) transmitting House Bill No. 257, which passed Third Reading in the House of Representatives on February 14, 1983, was

placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 257, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 11) transmitting House Concurrent Resolution No. 73, which was adopted by the House of Representatives on February 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 73, entitled: "HOUSE CONCURRENT RESOLUTION CONGRATULATING THE HAWAII AIKI KAI ON ITS THIRTIETH ANNIVERSARY," was adopted.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 22 to 24) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 22), entitled: "SENATE CONCURRENT RESOLUTION DESIGNATING THE WEEK BEGINNING MARCH 6, 1983 AS 'WOMEN'S HISTORY WEEK' AND URGING FULL COMMUNITY PARTICIPATION IN THE WEEK'S MANY ACTIVITIES," was offered by Senators Young, Abercrombie, Fernandes Salling, Solomon, A. Kobayashi, George, Hagino, Holt, Mizuguchi, Carpenter, Kawasaki, Cayetano, Soares, B. Kobayashi, Yamasaki, Uwaine, Cobb, Toguchi, Chang, Henderson, Kuroda, Ajifu, Aki and Machida.

At this time, Senator Young rose and stated:

"Mr. President, before I move for the adoption of this resolution, I would like to read a portion of the 'Whereas':

"Whereas, the week beginning March 6, 1983 has been designated as 'National Women's History Week;' and

"Whereas, Hawaii will join the rest of the nation in celebrating National Women's History Week with appropriate ceremonies and activities; and

"Whereas, National Women's History Week is a fitting occasion to demon-

strate the accomplishments and contribution of women in Hawaii; and

"Whereas, this celebration also gives pause for everyone to reflect on the vital role of women in American History, I move that Senate Concurrent Resolution No. 22, entitled: 'SENATE CONCURRENT RESOLUTION DESIGNATING THE WEEK BEGINNING MARCH 6, 1983 AS "WOMEN'S HISTORY WEEK" AND URGING FULL COMMUNITY PARTICIPATION IN THE WEEK'S MANY ACTIVITIES,' be adopted."

On motion by Senator Young, seconded by Senator Abercrombie and carried, S.C.R. No. 22 was adopted.

Senator Young then stated:

"Mr. President, at this time, I'd like to introduce the recipients of this resolution.

"May I introduce to you and the Senate, Rosie Chang, Associate Chairman of Hawaii's Women's History Week; Ruth Lieban, Historian; Frances Kupau Schuman, Chairman of the Main Event of Women's History Week; Ella Kupau, Secretary of Women's History Week and Yoshiko Hamada, Vice-Chairman of Budget and Funding."

At 11:48 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:51 o'clock a.m.

A concurrent resolution (S.C.R. No. 23), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES GENERAL SERVICES ADMINISTRATION TO POSTPONE THE SALE OF CAMP MALAKOLE AT CAMPBELL INDUSTRIAL PARK, EWA BEACH, OAHU," was offered by Senator Aki.

By unanimous consent, action on S.C.R. No. 23 was deferred until Wednesday, February 16, 1983.

A concurrent resolution (S.C.R. No. 24), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ADOPTION OF A STATEWIDE POLICY OF CONTRACTING PUBLIC SERVICES WHENEVER IT IS COST-EFFECTIVE AND DOES NOT JEOPARDIZE PUBLIC SAFETY," was offered by Senators Henderson, Soares, A. Kobayashi, George and Ajifu.

By unanimous consent, action on S.C.R. No. 24 was deferred until Wednesday, February 16, 1983.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 27 to 30) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 27), entitled: "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY FOR THE CONSTRUCTION OF A CONVENTION CENTER ON OAHU," was offered by Senator Kawasaki.

By unanimous consent, action on S.R. No. 27 was deferred until Wednesday, February 16, 1983.

A resolution (S.R. No. 28), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE RIGHTS AND BENEFITS OF FULL-TIME ELECTED AND APPOINTED OFFICERS AND EMPLOYEES OF THE STATE AND COUNTY GOVERNMENTS," was offered by Senator Kawasaki, by request.

By unanimous consent, action on S.R. No. 28 was deferred until Wednesday, February 16, 1983.

A resolution (S.R. No. 29), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FINAL REPORT OF THE COMMISSION ON ORGANIZATION OF GOVERNMENT," was offered by Senator Kawasaki.

By unanimous consent, action on S.R. No. 29 was deferred until Wednesday, February 16, 1983.

A resolution (S.R. No. 30), entitled: "SENATE RESOLUTION REQUESTING THE ADOPTION OF A STATEWIDE POLICY OF CONTRACTING PUBLIC SERVICES WHENEVER IT IS COST-EFFECTIVE AND DOES NOT JEOPARDIZE PUBLIC SAFETY," was offered by Senators Henderson, Soares, A. Kobayashi, George and Ajifu.

By unanimous consent, action on S.R. No. 30 was deferred until Wednesday, February 16, 1983.

INTRODUCTION OF SENATE BILLS

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Wednesday, February 16, 1983:

Senate Bills

No. 805 "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE ACCIDENT REPARATIONS SYSTEM."

Introduced by: Senators Kawasaki, Fernandes Salling, Ajifu, Kuroda, George, B. Kobayashi, Chang, Aki, Mizuguchi, Toguchi and Soares.

No. 806 "A BILL FOR AN ACT RELATING TO PAYMENT FOR GOODS AND SERVICES."

Introduced by: Senators Kawasaki, Chang, B. Kobayashi, Fernandes Salling and Aki.

No. 807 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."

Introduced by: Senator B. Kobayashi.

No. 808 "A BILL FOR AN ACT RELATING TO RECEIPTS."

Introduced by: Senators Kuroda, Toguchi, Uwayne, Cayetano, Chang and Abercrombie.

No. 809 "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES."

Introduced by: Senators Kuroda, Uwayne and Abercrombie.

No. 810 "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES."

Introduced by: Senators Kuroda, Uwayne and Abercrombie.

No. 811 "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES."

Introduced by: Senators Kuroda, Uwayne, Chang and Abercrombie.

No. 812 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Kuroda, Kawasaki, Hagino, Uwayne, Chang, Yamasaki, Fernandes Salling, Solomon, Cobb, Machida, Toguchi, Soares, Holt and Abercrombie.

No. 813 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Senators Kuroda, Chang, Cobb, Machida, Ajifu, Soares and Abercrombie.

No. 814 "A BILL FOR AN ACT RELATING TO SALES AND TRANSFER OF REAL PROPERTY SITUATED IN DESIGNATED AREAS."

Introduced by: Senators Kuroda, Cobb, B. Kobayashi, Solomon, Abercrombie, Fernandes Salling, Kawasaki, Carpenter, Uwayne, Chang, Hagino, Mizuguchi, George, Machida, A. Kobayashi, Toguchi, Ajifu, Soares and Holt.

No. 815 "A BILL FOR AN ACT RELATING TO COUNTY EMPLOYEES."

Introduced by: Senators Yamasaki, by request, and Ajifu.

No. 816 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Yamasaki, by request, Cayetano, Ajifu, Cobb, Holt, Machida, Soares, A. Kobayashi, B. Kobayashi and Chang.

No. 817 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senators Yamasaki, by request, Ajifu, A. Kobayashi and Chang.

No. 818 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX LAW."

Introduced by: Senators Yamasaki, by request, Cayetano, Ajifu, Toguchi, A. Kobayashi, B. Kobayashi and Chang.

No. 819 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE AND USE TAX."

Introduced by: Senators Yamasaki, by request, B. Kobayashi, Chang, Ajifu, Machida, Kuroda and Holt.

No. 820 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR VARIOUS PROGRAMS FOR THE BIENNIUM 1983-1985."

Introduced by: Senators Yamasaki and Machida.

No. 821 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH GERONTOLOGY UNIT."

Introduced by: Senators Machida, Young, Cobb, Fernandes Salling, B. Kobayashi, Kuroda, Uwayne, A. Kobayashi, Soares, Aki, Kawasaki and Yamasaki.

No. 822 "A BILL FOR AN ACT RELATING TO THE DEVELOPMENTAL DISABILITIES COUNCIL."

Introduced by: Senators Machida, Young, Fernandes Salling, B. Kobayashi, Uwayne, A. Kobayashi, Soares, Aki, Yamasaki and Kuroda.

No. 823 "A BILL FOR AN ACT RELATING TO HEALTH REQUIREMENTS FOR DEPARTMENT OF HEALTH EMPLOYEES."

Introduced by: Senators Machida, Young, Cobb, Fernandes Salling, B. Kobayashi, Kuroda, Uwayne, A. Kobayashi, Soares, George, Aki, Kawasaki and Yamasaki.

No. 824 "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES."

Introduced by: Senators Machida, Young, Fernandes Salling, B. Kobayashi, Uwayne, Kuroda, Aki, A. Kobayashi, Soares, George and Yamasaki.

No. 825 "A BILL FOR AN ACT RELATING TO HEMOPHILIA."

Introduced by: Senators Machida, Young, Cobb, Fernandes Salling, B. Kobayashi, Kawasaki, Uwayne, A. Kobayashi, Soares, George, Aki, Yamasaki and Kuroda.

No. 826 "A BILL FOR AN ACT AUTHORIZING A SUPPLEMENTARY APPROPRIATION TO FINANCE MEDICARE AND MEDICAID REIMBURSEMENTS LOST AS A RESULT OF THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982 (TEFRA '82)."

Introduced by: Senators Machida, Young, Fernandes Salling, Uwayne, Kuroda, A. Kobayashi, Soares, Aki and Yamasaki.

No. 827 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR QUEEN'S MEDICAL CENTER, OAHU."

Introduced by: Senators Machida, Young, Cobb, Fernandes Salling, Uwayne, A. Kobayashi, Soares, Aki, Yamasaki and Kuroda.

No. 828 "A BILL FOR AN ACT RELATING TO OCCUPATIONAL AND CAREER INFORMATION."

Introduced by: Senators Mizuguchi, Machida, Aki and Chang.

- No. 829 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE."
Introduced by: Senators Mizuguchi, Machida, Aki and Chang.
- No. 830 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
Introduced by: Senators Mizuguchi, Machida, Aki and Chang.
- No. 831 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A HAWAII WORKERS' SINGLE BENEFIT DELIVERY SYSTEM PROGRAM."
Introduced by: Senators Mizuguchi, Machida, Aki and Chang.
- No. 832 "A BILL FOR AN ACT RELATING TO INSURANCE."
Introduced by: Senators Mizuguchi, Machida, Aki and Chang.
- No. 833 "A BILL FOR AN ACT RELATING TO THE JOB TRAINING PARTNERSHIP ACT OF 1982."
Introduced by: Senators Mizuguchi, Machida, Aki and Chang.
- No. 834 "A BILL FOR AN ACT RELATING TO DISLOCATED WORKERS."
Introduced by: Senators Mizuguchi, Machida, Aki and Chang.
- No. 835 "A BILL FOR AN ACT RELATING TO PRODUCTION OF A VOTERS PAMPHLET."
Introduced by: Senators Mizuguchi, Machida, Aki and Chang.
- No. 836 "A BILL FOR AN ACT RELATING TO SERVICE-CONNECTED OCCUPATIONAL DISABILITY RETIREMENT."
Introduced by: Senators Mizuguchi, Machida, Aki and Chang.
- No. 837 "A BILL FOR AN ACT TO AMEND SECTION 102-14, HAWAII REVISED STATUTES, RELATING TO USE OF PUBLIC BUILDINGS BY BLIND OR VISUALLY HANDICAPPED PERSONS."
Introduced by: Senators Mizuguchi, Machida, Aki and Chang.
- No. 838 "A BILL FOR AN ACT RELATING TO VOLUNTARY JOB SHARING IN STATE GOVERNMENT."
Introduced by: Senators Mizuguchi, Machida, Aki and Chang.
- No. 839 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII."
Introduced by: Senators Mizuguchi, Machida, Aki and Chang.
- No. 840 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
Introduced by: Senators Mizuguchi, Machida, Aki and Chang.
- No. 841 "A BILL FOR AN ACT RELATING TO DISABILITY RETIREMENT BENEFITS."
Introduced by: Senators Mizuguchi, Machida, Aki and Chang.
- No. 842 "A BILL FOR AN ACT RELATING TO PROCEEDINGS AND RECORDS OF PEER REVIEW COMMITTEES AND HOSPITALS."
Introduced by: Senators Machida, Young, Aki, Yamasaki and Kuroda.
- No. 843 "A BILL FOR AN ACT RELATING TO THE EXEMPTION OF KEY ADMINISTRATIVE POSITIONS FROM THE CIVIL SERVICE AND COMPENSATION LAWS."
Introduced by: Senators Machida, Yamasaki, Chang and Kuroda.
- No. 844 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."
Introduced by: Senators Machida, Kuroda and Aki.
- No. 845 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."
Introduced by: Senators Machida, Chang, Kuroda and Aki.
- No. 846 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."
Introduced by: Senators Machida, Chang, Aki, Yamasaki, George and Kuroda.
- No. 847 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."
Introduced by: Senators Machida,

- Chang, Aki, Yamasaki and Kuroda.
- No. 848 "A BILL FOR AN ACT RELATING TO TAX CREDITS FOR DRUG AND RELATED PURCHASES."
- Introduced by: Senators Machida, Kuroda, Aki, Yamasaki, Chang and George.
- No. 849 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."
- Introduced by: Senators Machida, Kuroda and Aki.
- No. 850 "A BILL FOR AN ACT RELATING TO CHAPTER 328, HAWAII REVISED STATUTES."
- Introduced by: Senator Ajifu.
- No. 851 "A BILL FOR AN ACT RELATING TO CHAPTER 328, HAWAII REVISED STATUTES."
- Introduced by: Senator Ajifu.
- No. 852 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Senator Hagino.
- No. 853 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 6, OF THE HAWAII CONSTITUTION."
- Introduced by: Senator Hagino.
- No. 854 "A BILL FOR AN ACT RELATING TO A TRANSIENT ROOM TAX."
- Introduced by: Senator Hagino.
- No. 855 "A BILL FOR AN ACT RELATING TO THE RECLASSIFICATION OF AGRICULTURAL LANDS."
- Introduced by: Senator Hagino.
- No. 856 "A BILL FOR AN ACT RELATING TO THE STATE DEFERRED COMPENSATION PLAN."
- Introduced by: Senators Machida, Toguchi, Kuroda, Young, Ajifu, A. Kobayashi, Solomon and Chang.
- No. 857 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES."
- Introduced by: Senators Machida, Ajifu, Young, Kuroda, Solomon, Yamasaki and Chang.
- No. 858 "A BILL FOR AN ACT MAKING VARIOUS APPROPRIATIONS."
- Introduced by: Senator Mizuguchi.
- No. 859 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS."
- Introduced by: Senator Mizuguchi.
- No. 860 "A BILL FOR AN ACT RELATING TO THE PROGRESSIVE NEIGHBORHOODS PROGRAM."
- Introduced by: Senator Mizuguchi.
- No. 861 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- Introduced by: Senator Mizuguchi, by request.
- No. 862 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- Introduced by: Senator Mizuguchi, by request.
- No. 863 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW."
- Introduced by: Senator Mizuguchi, by request.
- No. 864 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- Introduced by: Senator Mizuguchi, by request.
- No. 865 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- Introduced by: Senator Mizuguchi, by request.
- No. 866 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- Introduced by: Senator Mizuguchi, by request.
- No. 867 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- Introduced by: Senator Mizuguchi, by request.
- No. 868 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

- Introduced by: Senator Mizuguchi, by request.
- No. 869 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW."
- Introduced by: Senator Mizuguchi, by request.
- No. 870 "A BILL FOR AN ACT RELATING TO RIGHTS OF EMPLOYEES UNDER HAWAII REVISED STATUTES CHAPTER 89."
- Introduced by: Senator Mizuguchi, by request.
- No. 871 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- Introduced by: Senator Mizuguchi, by request.
- No. 872 "A BILL FOR AN ACT RELATING TO NEGOTIABILITY UNDER HAWAII REVISED STATUTES 89-9."
- Introduced by: Senator Mizuguchi, by request.
- No. 873 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- Introduced by: Senator Mizuguchi, by request.
- No. 874 "A BILL FOR AN ACT RELATING TO RETIREMENT."
- Introduced by: Senator Mizuguchi, by request.
- No. 875 "A BILL FOR AN ACT RELATING TO TEACHERS."
- Introduced by: Senators Mizuguchi, Holt and Toguchi.
- No. 876 "A BILL FOR AN ACT RELATING TO CLASS SIZE."
- Introduced by: Senators Mizuguchi, Holt and Toguchi.
- No. 877 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES RETIREMENT SYSTEM."
- Introduced by: Senators Mizuguchi, Holt and Toguchi.
- No. 878 "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC EMPLOYEES HEALTH FUND."
- Introduced by: Senators Mizuguchi and Holt.
- No. 879 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."
- Introduced by: Senators Mizuguchi and Holt.
- No. 880 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."
- Introduced by: Senators Mizuguchi, Holt and Toguchi.
- No. 881 "A BILL FOR AN ACT RELATING TO POST RETIREMENT ALLOWANCE."
- Introduced by: Senators Mizuguchi, Holt and Toguchi.
- No. 882 "A BILL FOR AN ACT RELATING TO ORDINARY DISABILITY BENEFITS."
- Introduced by: Senators Mizuguchi, Holt and Toguchi.
- No. 883 "A BILL FOR AN ACT RELATING TO TEACHER RETIREMENT."
- Introduced by: Senators Mizuguchi, Holt and Toguchi.
- No. 884 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM."
- Introduced by: Senators Mizuguchi, Holt and Toguchi.
- No. 885 "A BILL FOR AN ACT RELATING TO PURCHASING CREDITS FOR MILITARY SERVICE UNDER THE EMPLOYEES' RETIREMENT SYSTEM."
- Introduced by: Senators Mizuguchi, Holt and Toguchi.
- No. 886 "A BILL FOR AN ACT RELATING TO RETIREMENT."
- Introduced by: Senators Mizuguchi, Holt and Toguchi.
- No. 887 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM."
- Introduced by: Senators Mizuguchi, Holt and Toguchi.
- No. 888 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."
- Introduced by: Senators Mizuguchi,

- Holt and Toguchi.
- No. 889 "A BILL FOR AN ACT RELATING TO FISHING."
Introduced by: Senators Chang, Cayetano, Cobb, Solomon, Uwaine, Soares and A. Kobayashi.
- No. 890 "A BILL FOR AN ACT RELATING TO CREDIT CARD OFFENSES."
Introduced by: Senators Chang, Fernandes, Salling, Cayetano, Hagino, B. Kobayashi, Uwaine, Machida, Young, Cobb, Solomon, Yamasaki, Soares and A. Kobayashi.
- No. 891 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF NEGOTIATED SETTLEMENT BETWEEN RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII AND HAWAIIAN DREDGING AND CONSTRUCTION COMPANY."
Introduced by: Senator Chang, by request.
- No. 892 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."
Introduced by: Senators Chang, Cobb, Uwaine, Aki, Cayetano, Hagino, Machida, Solomon, Young and A. Kobayashi.
- No. 893 "A BILL FOR AN ACT RELATING TO POWERS OF REGENTS."
Introduced by: Senator Chang, by request.
- No. 894 "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS."
Introduced by: Senators Chang, Solomon, Uwaine and Young.
- No. 895 "A BILL FOR AN ACT RELATING TO HAWAII EMPLOYMENT SECURITY LAW."
Introduced by: Senator George.
- No. 896 "A BILL FOR AN ACT RELATING TO CAMPAIGN EXPENDITURES."
Introduced by: Senator George.
- No. 897 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."
Introduced by: Senator George.
- Introduced by: Senator George.
- No. 898 "A BILL FOR AN ACT RELATING TO CRIME."
Introduced by: Senator George.
- No. 899 "A BILL FOR AN ACT MAKING VARIOUS APPROPRIATIONS."
Introduced by: Senators Solomon, Yamasaki, Machida, Mizuguchi B. Kobayashi and Hagino.
- No. 900 "A BILL FOR AN ACT RELATING TO THE LIQUOR TAX."
Introduced by: Senators Solomon, Yamasaki, Machida and Hagino.
- No. 901 "A BILL FOR AN ACT RELATING TO THE PROGRESSIVE NEIGHBORHOODS PROGRAM."
Introduced by: Senators Solomon, Yamasaki, Machida, Hagino and B. Kobayashi.
- No. 902 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT COMPENSATION."
Introduced by: Senator Wong.
- No. 903 "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY."
Introduced by: Senator Wong.
- No. 904 "A BILL FOR AN ACT RELATING TO FAIR DEALERSHIP PRACTICES."
Introduced by: Senator Wong.
- No. 905 "A BILL FOR AN ACT RELATING TO THE HAWAII PRODUCT DEVELOPMENT CORPORATION ACT."
Introduced by: Senator Wong.
- No. 906 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Senator Wong.
- No. 907 "A BILL FOR AN ACT RELATING TO LAND USE."
Introduced by: Senator Wong.
- No. 908 "A BILL FOR AN ACT RELATING TO LAND USE."
Introduced by: Senator Wong.
- No. 909 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL

- IMPACT STATEMENTS."
Introduced by: Senator Wong.
- No. 910 "A BILL FOR AN ACT RELATING TO DENTAL INSURANCE."
Introduced by: Senator Wong.
- No. 911 "A BILL FOR AN ACT RELATING TO COMPARABLE WORTH."
Introduced by: Senator Wong.
- No. 912 "A BILL FOR AN ACT RELATING TO MECHANIC'S AND MATERIALMAN'S LIENS."
Introduced by: Senator Wong.
- No. 913 "A BILL FOR AN ACT RELATING TO STADIUM AUTHORITY."
Introduced by: Senator Wong.
- No. 914 "A BILL FOR AN ACT RELATING TO JURORS."
Introduced by: Senator Wong, by request.
- No. 915 "A BILL FOR AN ACT RELATING TO COMMENCING PROSECUTION."
Introduced by: Senator Wong, by request.
- No. 916 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."
Introduced by: Senators Chang, Holt, Mizuguchi, Young, Cobb, Carpenter, Kuroda, Henderson, Solomon, Hagino, Uwayne, Cayetano, Toguchi, Abercrombie, Machida, A. Kobayashi, Aki, Ajifu, Kawasaki, Yamasaki and Soares.
- No. 917 "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE."
Introduced by: Senators Fernandes Salling, Yamasaki, B. Kobayashi, A. Kobayashi, Cayetano and Young.
- No. 918 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."
Introduced by: Senators Fernandes Salling, Uwayne, Ajifu, Kuroda, Chang, B. Kobayashi, A. Kobayashi, Cayetano and Young.
- No. 919 "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE."
Introduced by: Senators Fernandes Salling, Yamasaki, B. Kobayashi, A. Kobayashi, Cayetano and Young.
- No. 920 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."
Introduced by: Senators Fernandes Salling, Uwayne, Kuroda, Ajifu, Aki, Cayetano, Hagino, Mizuguchi, Chang, Yamasaki, Holt and Toguchi.
- No. 921 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."
Introduced by: Senators Fernandes Salling, Uwayne, Kuroda, Chang, Yamasaki, Aki, Toguchi, Hagino and Cayetano.
- No. 922 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS."
Introduced by: Senators Fernandes Salling, Uwayne, Ajifu, Kuroda, Toguchi, Holt, Aki, Cayetano, Hagino, Mizuguchi, Chang and Yamasaki.
- No. 923 "A BILL FOR AN ACT RELATING TO CHARITABLE TRUSTS."
Introduced by: Senators Fernandes Salling, Uwayne, Ajifu, Kuroda, Chang, Yamasaki, B. Kobayashi, Solomon and Cayetano.
- No. 924 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."
Introduced by: Senators Fernandes Salling, Uwayne, Kuroda, Chang, Aki, Hagino, Cayetano, Mizuguchi, Holt, Yamasaki and Toguchi.
- No. 925 "A BILL FOR AN ACT RELATING TO PESTICIDES."
Introduced by: Senator A. Kobayashi.
- No. 926 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY OF BEACH EROSION."
Introduced by: Senator A. Kobayashi.
- No. 927 "A BILL FOR AN ACT RELATING TO STATE PARKS AND

- RECREATION."
- Introduced by: Senator A. Kobayashi.
- No. 928 "A BILL FOR AN ACT RELATING TO HIKING TRAILS."
- Introduced by: Senator A. Kobayashi.
- No. 929 "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES."
- Introduced by: Senator Soares.
- No. 930 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE SIXTH SENATORIAL DISTRICT."
- Introduced by: Senator Soares.
- No. 931 "A BILL FOR AN ACT RELATING TO HOME CARE SERVICES."
- Introduced by: Senators B. Kobayashi, Hagino, Holt, Uwaine, Ajifu, Soares, Chang and Kawasaki.
- No. 932 "A BILL FOR AN ACT RELATING TO SMOKING IN PUBLIC PLACES."
- Introduced by: Senators B. Kobayashi, Uwaine, Chang, Kawasaki, Hagino, Ajifu and Soares.
- No. 933 "A BILL FOR AN ACT RELATING TO TAXES."
- Introduced by: Senator B. Kobayashi.
- No. 934 "A BILL FOR AN ACT RELATING TO MEDICAL RECORDS."
- Introduced by: Senator B. Kobayashi.
- No. 935 "A BILL FOR AN ACT RELATING TO PILOTAGE."
- Introduced by: Senators Kawasaki, Young, Yamasaki, Ajifu, Solomon, Holt, Uwaine, George, Kuroda, Fernandes Salling, A. Kobayashi, Hagino, Machida, Soares, Abercrombie, Aki, Henderson, Toguchi, Chang and Cayetano.
- No. 936 "A BILL FOR AN ACT RELATING TO FOOD COSTS."
- Introduced by: Senators Kawasaki, Yamasaki, Ajifu, Solomon, Mizuguchi, Uwaine, Machida, George, Kuroda, Fernandes Salling, Abercrombie, Aki, A. Kobayashi, Hagino, Soares, Henderson, Toguchi, Chang and Cayetano.
- No. 937 "A BILL FOR AN ACT RELATING TO THE INCOME TAX."
- Introduced by: Senators Yamasaki, Holt, Machida, Ajifu, Uwaine, Toguchi, B. Kobayashi, Chang, Fernandes Salling, Hagino, Mizuguchi and Aki.
- No. 938 "A BILL FOR AN ACT RELATING TO WITNESS FEES IN CIVIL AND CRIMINAL CASES."
- Introduced by: Senator Yamasaki, by request.
- No. 939 "A BILL FOR AN ACT RELATING TO THE CRIME OF TRESPASS."
- Introduced by: Senator Yamasaki, by request.
- No. 940 "A BILL FOR AN ACT RELATING TO PAYMENT OF WAGES TO RELATIVES OF DECEASED EMPLOYEES."
- Introduced by: Senator Yamasaki, by request.
- No. 941 "A BILL FOR AN ACT RELATING TO USE TAX OVERPAYMENTS BY GENERAL MOTORS DEALERSHIPS."
- Introduced by: Senators Yamasaki and Kawasaki.
- No. 942 "A BILL FOR AN ACT RELATING TO TAXATION."
- Introduced by: Senators Yamasaki and Kawasaki.
- No. 943 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE REPAIR OF THE ALA WAI CANAL RETAINING WALL AND FOR THE CONSTRUCTION OF PLAY COURTS AT JEFFERSON ELEMENTARY SCHOOL AND WAIKIKI ELEMENTARY SCHOOL."
- Introduced by: Senator B. Kobayashi.
- No. 944 "A BILL FOR AN ACT RELATING TO CHARITABLE TRUSTS."
- Introduced by: Senators B. Kobayashi, Uwaine, Soares and Chang.

No. 945 "A BILL FOR AN ACT RELATING TO WATER CARRIERS."

Introduced by: Senators Chang, Uwaine, Fernandes Salling, Ajifu, Carpenter, Solomon, Aki, A. Kobayashi and Kuroda.

No. 946 "A BILL FOR AN ACT RELATING TO WASTEWATER TREATMENT OPERATORS."

Introduced by: Senators Chang, Uwaine, Yamasaki, Holt, Fernandes Salling, George, Ajifu, Carpenter, Solomon, Aki, A. Kobayashi and Kuroda.

No. 947 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Introduced by: Senators Chang, Uwaine, Yamasaki, Fernandes Salling, George, Kuroda, Cobb, Carpenter, Solomon, Aki and A. Kobayashi.

No. 948 "A BILL FOR AN ACT MAKING VARIOUS APPROPRIATIONS."

Introduced by: Senators Chang, Uwaine, Yamasaki, Holt, Fernandes Salling, Ajifu, Carpenter, B. Kobayashi, Solomon, Aki, A. Kobayashi and Kuroda.

No. 949 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senators Toguchi, Solomon, Ajifu, Yamasaki, Uwaine, Mizuguchi, Chang, Aki and Fernandes Salling.

No. 950 "A BILL FOR AN ACT RELATING TO SERVICE CORPORATIONS."

Introduced by: Senators Wong and Henderson.

No. 951 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE 1984 HAWAII STATEHOOD SILVER JUBILEE."

Introduced by: Senators Wong and Henderson.

No. 952 "A BILL FOR AN ACT RELATING TO REGULATING WATER USE."

Introduced by: Senators Toguchi, Chang, Solomon, Ajifu, Yamasaki, Soares, Uwaine, Mizuguchi, Aki and Fernandes Salling.

No. 953 "A BILL FOR AN ACT RELATING TO THE BOARD OF

AGRICULTURE."

Introduced by: Senators Toguchi, Solomon, Ajifu, Aki, Holt, Mizuguchi, Chang, Cayetano, Yamasaki, Soares and Uwaine.

No. 954 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS."

Introduced by: Senators Toguchi, Solomon, Ajifu, Yamasaki, Soares, Uwaine, Chang, Aki and Fernandes Salling.

No. 955 "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT."

Introduced by: Senators Henderson, Soares, A. Kobayashi, George and Ajifu.

No. 956 "A BILL FOR AN ACT RELATING TO SUITS AGAINST THE STATE AND THE VARIOUS COUNTIES."

Introduced by: Senators Kawasaki, Chang, Fernandes Salling, Ajifu, Henderson, Solomon, Kuroda, Soares, Yamasaki, Carpenter, Mizuguchi, Cayetano, George, Cobb, Young, Aki, Abercrombie and Uwaine.

No. 957 "A BILL FOR AN ACT MAKING VARIOUS APPROPRIATIONS."

Introduced by: Senator Hagino.

No. 958 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS."

Introduced by: Senator Hagino.

No. 959 "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE."

Introduced by: Senator George.

No. 960 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Senator George.

No. 961 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE TWENTY-FOURTH SENATORIAL DISTRICT."

Introduced by: Senator George.

No. 962 "A BILL FOR AN ACT RELATING TO TAXATION."

- Introduced by: Senators Solomon, Yamasaki, B. Kobayashi, A. Kobayashi, Soares and Machida.
- No. 963 "A BILL FOR AN ACT RELATING TO RETIREMENT BENEFITS."
Introduced by: Senator Kawasaki.
- No. 964 "A BILL FOR AN ACT RELATING TO COASTAL DEVELOPMENT."
Introduced by: Senators Chang, Hagino, Yamasaki, A. Kobayashi, Uwayne, Carpenter, Kuroda, Solomon, Fernandes Salling, Aki, Toguchi, Machida, Young and Mizuguchi.
- No. 965 "A BILL FOR AN ACT RELATING TO HOUSING."
Introduced by: Senator Young.
- No. 966 "A BILL FOR AN ACT RELATING TO HOUSING."
Introduced by: Senator Young.
- No. 967 "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS."
Introduced by: Senator Young, by request.
- No. 968 "A BILL FOR AN ACT RELATING TO HOUSING PLANNING."
Introduced by: Senator Young.
- No. 969 "A BILL FOR AN ACT RELATING TO COUNTIES."
Introduced by: Senator Young.
- No. 970 "A BILL FOR AN ACT MAKING VARIOUS APPROPRIATIONS."
Introduced by: Senator Young.
- No. 971 "A BILL FOR AN ACT RELATING TO CONTRACTUAL EMPLOYEES."
Introduced by: Senator Young, by request.
- No. 972 "A BILL FOR AN ACT RELATING TO PARK DEDICATION."
Introduced by: Senator Young, by request.
- No. 973 "A BILL FOR AN ACT RELATING TO HEALTH."
Introduced by: Senator Young, by request.
- No. 974 "A BILL FOR AN ACT RELATING TO ASSESSMENT OF ECONOMIC IMPACT."
Introduced by: Senator Young, by request.
- No. 975 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS LOCATED IN THE CITY AND COUNTY OF HONOLULU."
Introduced by: Senator Ajifu.
- No. 976 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
Introduced by: Senator Mizuguchi, by request.
- No. 977 "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES."
Introduced by: Senator Mizuguchi.
- No. 978 "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT VEHICLES."
Introduced by: Senator Mizuguchi.
- No. 979 "A BILL FOR AN ACT RELATING TO EMPLOYEES."
Introduced by: Senator Mizuguchi.
- No. 980 "A BILL FOR AN ACT RELATING TO COUNTY HOSPITALS."
Introduced by: Senator Solomon.
- No. 981 "A BILL FOR AN ACT RELATING TO ELECTION REFORM."
Introduced by: Senator Soares.
- No. 982 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."
Introduced by: Senator Yamasaki.
- No. 983 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."
Introduced by: Senator Yamasaki.
- No. 984 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."
Introduced by: Senators Aki, Hagino, Holt, Uwayne, Ajifu and Chang.

- No. 985 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."
Introduced by: Senator Aki.
- No. 986 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE NATIVE HAWAIIAN LAND TRUST TASK FORCE TO DEVELOP A FUNCTIONAL PLAN FOR NATIVE HAWAIIANS."
Introduced by: Senator Aki, by request.
- No. 987 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS."
Introduced by: Senator Aki.
- No. 988 "A BILL FOR AN ACT MAKING VARIOUS APPROPRIATIONS."
Introduced by: Senator Aki.
- No. 989 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS."
Introduced by: Senators Toguchi, Aki and Solomon.
- No. 990 "A BILL FOR AN ACT MAKING VARIOUS APPROPRIATIONS."
Introduced by: Senators Toguchi, Aki and Solomon.
- No. 991 "A BILL FOR AN ACT MAKING VARIOUS APPROPRIATIONS."
Introduced by: Senator Uwaine.
- No. 992 "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLD CONDOMINIUMS."
Introduced by: Senator Uwaine.
- No. 993 "A BILL FOR AN ACT RELATING TO LAND USE."
Introduced by: Senator Uwaine.
- No. 994 "A BILL FOR AN ACT RELATING TO THE MOLOKAI GENERAL HOSPITAL."
Introduced by: Senators Machida and Uwaine.
- No. 995 "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS."
Introduced by: Senators Machida, Yamasaki, Solomon, Kuroda, Young, Cayetano and Mizuguchi.
- No. 996 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."
Introduced by: Senators Machida, Fernandes Salling, Solomon, B. Kobayashi, Chang, Carpenter, Kawasaki, Uwaine, Ajifu, A. Kobayashi, Aki, Kuroda, Yamasaki, Cayetano and Mizuguchi.
- No. 997 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH LAW."
Introduced by: Senators Machida, Fernandes Salling, Solomon, B. Kobayashi, Chang, Carpenter, Kawasaki, Kuroda, Young, Mizuguchi, Uwaine, Ajifu, A. Kobayashi, George, Aki, Yamasaki and Cayetano.
- No. 998 "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS."
Introduced by: Senators Machida, Solomon, Chang, Carpenter, Uwaine, Ajifu, A. Kobayashi, George, Aki and Kuroda.
- No. 999 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS."
Introduced by: Senators Cobb and A. Kobayashi.
- No. 1000 "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES."
Introduced by: Senator Cobb, by request.
- No. 1001 "A BILL FOR AN ACT RELATING TO THE INDUSTRIAL LOAN COMPANY GUARANTY ACT."
Introduced by: Senator Cobb.
- No. 1002 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS."
Introduced by: Senators Machida and Yamasaki.
- No. 1003 "A BILL FOR AN ACT RELATING TO LAND SALES."
Introduced by: Senator Young.
- No. 1004 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUORS."

- Introduced by: Senator Ajifu.
- No. 1005 "A BILL FOR AN ACT RELATING TO A GEOTHERMAL SPECIAL FUND."
- Introduced by: Senator Kuroda.
- No. 1006 "A BILL FOR AN ACT RELATING TO HAWAII RESEARCH CENTER FOR FUTURE STUDY."
- Introduced by: Senators Henderson, Soares, George, A. Kobayashi and Ajifu.
- No. 1007 "A BILL FOR AN ACT RELATING TO STATE POPULATION AND PLANNING."
- Introduced by: Senators Henderson, Soares, George, A. Kobayashi and Ajifu.
- No. 1008 "A BILL FOR AN ACT RELATING TO COMMISSION ON THE YEAR 2000."
- Introduced by: Senators Henderson, Soares, George, A. Kobayashi and Ajifu.
- No. 1009 "A BILL FOR AN ACT RELATING TO THE OMBUDSMAN."
- Introduced by: Senators Henderson, Soares, George, Ajifu and A. Kobayashi.
- No. 1010 "A BILL FOR AN ACT RELATING TO THE HAWAII CRIME COMMISSION."
- Introduced by: Senators Henderson, Soares, George, Ajifu and A. Kobayashi.
- No. 1011 "A BILL FOR AN ACT RELATING TO THE CONSUMER ADVISORY COUNCIL."
- Introduced by: Senators Henderson, George, Ajifu and A. Kobayashi.
- No. 1012 "A BILL FOR AN ACT RELATING TO COMMUNITY DEVELOPMENT."
- Introduced by: Senators Henderson, George, A. Kobayashi and Ajifu.
- No. 1013 "A BILL FOR AN ACT RELATING TO TAXATION."
- Introduced by: Senators Henderson, George, A. Kobayashi and Ajifu.
- No. 1014 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS."
- Introduced by: Senators Henderson, George, A. Kobayashi and Ajifu.
- No. 1015 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS."
- Introduced by: Senators Henderson, George, A. Kobayashi and Ajifu.
- No. 1016 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."
- Introduced by: Senators Henderson, George, A. Kobayashi and Ajifu.
- No. 1017 "A BILL FOR AN ACT RELATING TO BEVERAGE CONTAINERS."
- Introduced by: Senators Henderson and A. Kobayashi.
- No. 1018 "A BILL FOR AN ACT RELATING TO CHILDREN."
- Introduced by: Senators Henderson, George, A. Kobayashi and Ajifu.
- No. 1019 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS."
- Introduced by: Senators Henderson, George, A. Kobayashi and Ajifu.
- No. 1020 "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE."
- Introduced by: Senators Henderson, George, A. Kobayashi and Ajifu.
- No. 1021 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."
- Introduced by: Senators Henderson, Soares, Ajifu and A. Kobayashi.
- No. 1022 "A BILL FOR AN ACT RELATING TO THE COMMISSION TO PROMOTE UNIFORM LEGISLATION."
- Introduced by: Senators Henderson, Ajifu and A. Kobayashi.
- No. 1023 "A BILL FOR AN ACT RELATING TO THE ANIMAL

SPECIES ADVISORY COMMISSION."

Introduced by: Senators Henderson, Ajifu and A. Kobayashi.

No. 1024 "A BILL FOR AN ACT RELATING TO LIQUOR."

Introduced by: Senators Henderson, George and Ajifu.

No. 1025 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS."

Introduced by: Senator Chang.

No. 1026 "A BILL FOR AN ACT RELATING TO PUBLIC INFORMATION."

Introduced by: Senators Chang, Uwaine, B. Kobayashi, Aki, Toguchi, Machida, Kawasaki, Carpenter, Holt, Kuroda and Young.

No. 1027 "A BILL FOR AN ACT RELATING TO LOANS."

Introduced by: Senators Fernandes Salling and Toguchi.

No. 1028 "A BILL FOR AN ACT MAKING VARIOUS APPROPRIATIONS."

Introduced by: Senator Fernandes Salling.

No. 1029 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS."

Introduced by: Senators Kuroda, Cayetano, Machida and Mizuguchi.

No. 1030 "A BILL FOR AN ACT RELATING TO THE LIABILITY OF HOTELKEEPERS."

Introduced by: Senators Kuroda, Yamasaki, B. Kobayashi, Uwaine, Chang, Solomon, Ajifu, Carpenter, Machida, Mizuguchi, Abercrombie and Henderson.

No. 1031 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Senators Kuroda, Uwaine, Toguchi, Solomon, Aki, Ajifu, Young, A. Kobayashi, Cayetano, Machida and Mizuguchi.

No. 1032 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR INDUSTRIAL ENTERPRISES."

Introduced by: Senators Kuroda, Ajifu, Carpenter, Young, Uwaine, Cayetano, Machida and Mizuguchi.

No. 1033 "A BILL FOR AN ACT RELATING TO SUBDIVISIONS."

Introduced by: Senators Kuroda, A. Kobayashi and Machida.

No. 1034 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A SUPERVISED WORK ALTERNATIVE PROGRAM (SWAP) WITHIN THE CORRECTIONS DIVISION."

Introduced by: Senators Kuroda, Solomon, Fernandes Salling, A. Kobayashi, Ajifu, Young, Holt, Carpenter, Cayetano and Machida.

No. 1035 "A BILL FOR AN ACT RELATING TO TOURISM."

Introduced by: Senators Kuroda, Solomon, B. Kobayashi, Aki, Ajifu, Carpenter, Uwaine and Cayetano.

No. 1036 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Introduced by: Senators Kuroda, Yamasaki, Uwaine, Holt, Toguchi, Solomon, Aki, Ajifu, Carpenter, A. Kobayashi, Cayetano and Machida.

No. 1037 "A BILL FOR AN ACT RELATING TO PRODUCT LIABILITY."

Introduced by: Senators Kuroda, Ajifu, A. Kobayashi, Aki, Uwaine, Carpenter and Solomon.

No. 1038 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STATE TAX FRAUD UNIT."

Introduced by: Senators Kuroda, Uwaine, Toguchi, Solomon, Aki and Ajifu.

No. 1039 "A BILL FOR AN ACT RELATING TO ESTABLISHMENT OF A VICTIM-WITNESS FUNDING PROGRAM."

Introduced by: Senators Kuroda, Yamasaki, Uwaine, Holt, Toguchi, Solomon, B. Kobayashi, Aki, Ajifu and Carpenter.

No. 1040 "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES."

Introduced by: Senators Kuroda, Solomon, B. Kobayashi, Aki,

- Toguchi, Uwaine and Carpenter. Introduced by: Senator Abercrombie.
- No. 1041 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS." No. 1051 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION." Introduced by: Senator Abercrombie.
- Introduced by: Senator Kuroda. No. 1042 "A BILL FOR AN ACT MAKING VARIOUS APPROPRIATIONS." No. 1052 "A BILL FOR AN ACT RELATING TO TEACHERS." Introduced by: Senator Abercrombie.
- Introduced by: Senator Kuroda. No. 1043 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 8, OF THE HAWAII CONSTITUTION, TO CHANGE LEGISLATIVE DISQUALIFICATIONS." No. 1053 "A BILL FOR AN ACT RELATING TO TEACHER CERTIFICATION." Introduced by: Senators Kuroda, Toguchi, Aki, Abercrombie, Solomon and Cayetano. No. 1054 "A BILL FOR AN ACT RELATING TO THE JOB SHARING PROJECT IN THE DEPARTMENT OF EDUCATION." Introduced by: Senator Abercrombie.
- No. 1044 "A BILL FOR AN ACT RELATING TO ALTERNATIVE ENERGY USES IN THE CONSERVATION DISTRICT." No. 1055 "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN." Introduced by: Senator Abercrombie.
- Introduced by: Senator Kuroda. No. 1045 "A BILL FOR AN ACT RELATING TO FEDERALLY CONNECTED STUDENTS." No. 1056 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES." Introduced by: Senator Abercrombie.
- Introduced by: Senator Abercrombie. No. 1046 "A BILL FOR AN ACT RELATING TO THE SCHOOL PRIORITY FUND." No. 1057 "A BILL FOR AN ACT RELATING TO DRIVER EDUCATION INSTRUCTORS." Introduced by: Senator Abercrombie.
- Introduced by: Senator Abercrombie. No. 1047 "A BILL FOR AN ACT RELATING TO RESTITUTION FOR VANDALISM OF PUBLIC SCHOOLS." No. 1058 "A BILL FOR AN ACT RELATING TO LIBRARY OFFICERS." Introduced by: Senator Abercrombie.
- Introduced by: Senator Abercrombie. No. 1048 "A BILL FOR AN ACT RELATING TO AFTER-SCHOOL PROGRAMS." No. 1059 "A BILL FOR AN ACT RELATING TO THE TRANSFER OF ADULT EDUCATION TO THE COLLEGE OF CONTINUING EDUCATION AND COMMUNITY SERVICE." Introduced by: Senator Abercrombie.
- Introduced by: Senator Abercrombie. No. 1049 "A BILL FOR AN ACT RELATING TO COMPENSATION OF THE BOARD OF EDUCATION." No. 1060 "A BILL FOR AN ACT RELATING TO TELE-

- COMMUNICATION DEVELOP- PROGRAM."
MENT."
- Introduced by: Senator Cayetano.
- No. 1061 "A BILL FOR AN ACT RELATING TO EXEMPTION OF OVERSEAS SALES OF HAWAII MANUFACTURED ELECTRONIC EQUIPMENT FROM THE GENERAL EXCISE TAX."
- Introduced by: Senator Cayetano.
- No. 1062 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY DEVELOPMENT."
- Introduced by: Senator Cayetano.
- No. 1063 "A BILL FOR AN ACT RELATING TO FOOD, DRUGS AND COSMETICS."
- Introduced by: Senators Cayetano, Kawasaki, Carpenter, A. Kobayashi, Ajifu, Yamasaki and Cobb.
- No. 1064 "A BILL FOR AN ACT RELATING TO PESTICIDES."
- Introduced by: Senators Cayetano, Kawasaki, Carpenter, A. Kobayashi, Yamasaki and Cobb.
- No. 1065 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."
- Introduced by: Senator Cayetano, by request.
- No. 1066 "A BILL FOR AN ACT RELATING TO THE REAL ESTATE RECOVERY FUND."
- Introduced by: Senator Cayetano.
- No. 1067 "A BILL FOR AN ACT RELATING TO MECHANIC'S AND MATERIALMAN'S LIENS."
- Introduced by: Senator Cayetano.
- No. 1068 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION TO PROVIDE FOR AN APPOINTED BOARD OF EDUCATION."
- Introduced by: Senator Cayetano.
- No. 1069 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."
- Introduced by: Senator Cayetano.
- No. 1070 "A BILL FOR AN ACT RELATING TO CAPITAL LOAN
- Introduced by: Senator Cayetano.
- No. 1071 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."
- Introduced by: Senator Cayetano.
- No. 1072 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."
- Introduced by: Senator Cayetano.
- No. 1073 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."
- Introduced by: Senator Cayetano.
- No. 1074 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."
- Introduced by: Senator Cayetano.
- No. 1075 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."
- Introduced by: Senator Cayetano.
- No. 1076 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."
- Introduced by: Senator Cayetano.
- No. 1077 "A BILL FOR AN ACT RELATING TO CONSUMERISM IN PUBLIC UTILITIES REGULATION."
- Introduced by: Senator Cayetano.
- No. 1078 "A BILL FOR AN ACT MAKING VARIOUS APPROPRIATIONS."
- Introduced by: Senator Cayetano.
- No. 1079 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."
- Introduced by: Senator Cayetano, by request.
- No. 1080 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."
- Introduced by: Senator Cayetano.
- No. 1081 "A BILL FOR AN ACT RELATING TO SUBDIVISIONS."
- Introduced by: Senator Cayetano, by request.
- No. 1082 "A BILL FOR AN ACT RELATING TO LAND USE."
- Introduced by: Senator Cayetano, by request.
- No. 1083 "A BILL FOR AN ACT RELATING TO LAND USE."

- Introduced by: Senator Cayetano,
by request.
- No. 1084 "A BILL FOR AN ACT
RELATING TO SPECIAL
MANAGEMENT AREA."
- Introduced by: Senator Cayetano,
by request.
- No. 1085 "A BILL FOR AN ACT
RELATING TO GEOTHERMAL
ENERGY."
- Introduced by: Senator Cayetano.
- No. 1086 "A BILL FOR AN ACT
RELATING TO THE COSTS OF
COURT."
- Introduced by: Senator Cayetano.
- No. 1087 "A BILL FOR AN ACT
RELATING TO MOTOR VEHICLE
INSURANCE."
- Introduced by: Senator Cayetano.
- No. 1088 "A BILL FOR AN ACT
RELATING TO NEWSPAPERS."
- Introduced by: Senator Aber-
crombie.
- No. 1089 "A BILL FOR AN ACT
RELATING TO THE AQUARIUM."
- Introduced by: Senators Wong,
Abercrombie and Henderson.
- No. 1090 "A BILL FOR AN ACT
RELATING TO DISCRIMINATION."
- Introduced by: Senator Aber-
crombie.
- No. 1091 "A BILL FOR AN ACT
RELATING TO ADOPTION."
- Introduced by: Senator Aber-
crombie.
- No. 1092 "A BILL FOR AN ACT
RELATING TO THE ATTORNEY
GENERAL."
- Introduced by: Senator Aber-
crombie.
- No. 1093 "A BILL FOR AN ACT
RELATING TO POLITICAL
PARTIES."
- Introduced by: Senator Aber-
crombie.
- No. 1094 "A BILL FOR AN ACT
RELATING TO THE RESIDENTIAL
LANDLORD-TENANT CODE."
- Introduced by: Senator
- Abercrombie.
- No. 1095 "A BILL FOR AN ACT
RELATING TO SECURITY
DEPOSITS."
- Introduced by: Senator Aber-
crombie.
- No. 1096 "A BILL FOR AN ACT
RELATING TO REAL PROPERTY
TAXATION."
- Introduced by: Senator Aber-
crombie.
- No. 1097 "A BILL FOR AN ACT
RELATING TO TIME SHARING
PLANS."
- Introduced by: Senator Aber-
crombie.
- No. 1098 "A BILL FOR AN ACT
RELATING TO DRIVING UNDER
THE INFLUENCE OF INTOXICATING
LIQUOR."
- Introduced by: Senator Aber-
crombie.
- No. 1099 "A BILL FOR AN ACT
RELATING TO CORRECTIONS."
- Introduced by: Senator Aber-
crombie.
- No. 1100 "A BILL FOR AN ACT
RELATING TO DRUGS."
- Introduced by: Senator Aber-
crombie.
- No. 1101 "A BILL FOR AN ACT
RELATING TO DRUGS."
- Introduced by: Senator Aber-
crombie.
- No. 1102 "A BILL FOR AN ACT
RELATING TO SENTENCING."
- Introduced by: Senator Aber-
crombie.
- No. 1103 "A BILL FOR AN ACT
RELATING TO HUNTING."
- Introduced by: Senators Aber-
crombie and Solomon.
- No. 1104 "A BILL FOR AN ACT
RELATING TO INTAKE SERVICE
CENTERS."
- Introduced by: Senator Aber-
crombie.
- No. 1105 "A BILL FOR AN ACT
RELATING TO MOTORCYCLES."

- Introduced by: Senator Abercrombie. RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT."
- No. 1106 "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE."
Introduced by: Senator Abercrombie.
- No. 1107 "A BILL FOR AN ACT RELATING TO INSURANCE FOR MOTOR VEHICLES AND OTHER VEHICLES."
Introduced by: Senator Abercrombie.
- No. 1108 "A BILL FOR AN ACT RELATING TO RECONSTRUCTED VEHICLES."
Introduced by: Senator Abercrombie.
- No. 1109 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 8, OF THE HAWAII CONSTITUTION, TO CHANGE LEGISLATIVE DISQUALIFICATIONS."
Introduced by: Senator Abercrombie.
- No. 1110 "A BILL FOR AN ACT RELATING TO THE RESEARCH AND TRAINING REVOLVING FUND."
Introduced by: Senator Abercrombie.
- No. 1111 "A BILL FOR AN ACT RELATING TO THE WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION."
Introduced by: Senator Abercrombie.
- No. 1112 "A BILL FOR AN ACT RELATING TO A TOURIST DESTINATION AREA IMPROVEMENT FEE."
Introduced by: Senator Abercrombie.
- No. 1113 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Senator Abercrombie.
- No. 1114 "A BILL FOR AN ACT RELATING TO MINIMUM WAGES."
Introduced by: Senator Abercrombie.
- No. 1115 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT."
Introduced by: Senator Abercrombie.
- No. 1116 "A BILL FOR AN ACT RELATING TO FRAUD UNDER THE WORKERS' COMPENSATION LAW."
Introduced by: Senator Abercrombie.
- No. 1117 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."
Introduced by: Senator Abercrombie.
- No. 1118 "A BILL FOR AN ACT RELATING TO EXCLUSIONS FROM APPROPRIATE BARGAINING UNITS."
Introduced by: Senator Abercrombie.
- No. 1119 "A BILL FOR AN ACT RELATING TO CLASSIFICATION AND COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES."
Introduced by: Senators Abercrombie and Mizuguchi.
- No. 1120 "A BILL FOR AN ACT RELATING TO COMPENSATION OF PUBLIC OFFICERS."
Introduced by: Senators Abercrombie and Mizuguchi.
- No. 1121 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE."
Introduced by: Senators Abercrombie and Mizuguchi.
- No. 1122 "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN."
Introduced by: Senators Abercrombie and Mizuguchi.
- No. 1123 "A BILL FOR AN ACT RELATING TO COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES EXCLUDED FROM BARGAINING UNITS."
Introduced by: Senators Abercrombie and Mizuguchi.
- No. 1124 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW."
Introduced by: Senator Abercrombie.

- No. 1125 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
Introduced by: Senator Abercrombie.
- No. 1126 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
Introduced by: Senator Abercrombie.
- No. 1127 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
Introduced by: Senator Abercrombie.
- No. 1128 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW."
Introduced by: Senator Abercrombie.
- No. 1129 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
Introduced by: Senator Abercrombie.
- No. 1130 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
Introduced by: Senator Abercrombie.
- No. 1131 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW."
Introduced by: Senator Abercrombie.
- No. 1132 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW."
Introduced by: Senator Abercrombie.
- No. 1133 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION LAW."
Introduced by: Senator Abercrombie.
- No. 1134 "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY BENEFITS."
Introduced by: Senator Abercrombie.
- No. 1135 "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION."
Introduced by: Senator Abercrombie.
- No. 1136 "A BILL FOR AN ACT RELATING TO THE LEGISLATURE."
Introduced by: Senator Abercrombie.
- No. 1137 "A BILL FOR AN ACT RELATING TO STUDENT TRANSPORTATION."
Introduced by: Senator Abercrombie.
- No. 1138 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."
Introduced by: Senator Abercrombie.
- No. 1139 "A BILL FOR AN ACT MAKING APPROPRIATIONS."
Introduced by: Senator Carpenter.
- No. 1140 "A BILL FOR AN ACT RELATING TO THE CRIMINAL JUSTICE SYSTEM IMPROVEMENT ACT."
Introduced by: Senator Carpenter, by request.
- No. 1141 "A BILL FOR AN ACT RELATING TO TAX INCREMENT FINANCING."
Introduced by: Senators Carpenter, Henderson and Solomon.
- No. 1142 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION, RELATING TO THE APPOINTMENT OF JUSTICES AND JUDGES."
Introduced by: Senator Carpenter, by request.
- No. 1143 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION, TO ALLOW FOR VOTER RETENTION OF JUDGES."
Introduced by: Senator Carpenter, by request.
- No. 1144 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO

ARTICLE VI, SECTION 6, OF THE HAWAII CONSTITUTION, TO AMEND THE CRIMINAL TRIAL ASSIGNMENTS."

Introduced by: Senator Carpenter, by request.

No. 1145 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Senator Carpenter, by request.

No. 1146 "A BILL FOR AN ACT RELATING TO CHILD ABUSE."

Introduced by: Senator Carpenter, by request.

No. 1147 "A BILL FOR AN ACT RELATING TO THE CONTRACTORS LICENSE BOARD."

Introduced by: Senator Carpenter, by request.

No. 1148 "A BILL FOR AN ACT RELATING TO SENTENCING OF REPEAT OFFENDERS."

Introduced by: Senator Carpenter, by request.

No. 1149 "A BILL FOR AN ACT RELATING TO ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES."

Introduced by: Senators Carpenter and Solomon.

No. 1150 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Senator Carpenter, by request.

No. 1151 "A BILL FOR AN ACT RELATING TO CHILDREN."

Introduced by: Senator Carpenter, by request.

No. 1152 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 7, OF THE HAWAII CONSTITUTION, TO DELETE THE REQUIREMENT OF RESIGNATION FROM PRESENT OFFICE TO BECOME A CANDIDATE FOR ANOTHER OFFICE."

Introduced by: Senator Carpenter.

No. 1153 "A BILL FOR AN ACT RELATING TO VICTIM AND WITNESS HEARING AND PROCEDURE NOTIFICATION."

Introduced by: Senator Carpenter.

No. 1154 "A BILL FOR AN ACT RELATING TO PAROLE PROCEDURE."

Introduced by: Senator Carpenter, by request.

No. 1155 "A BILL FOR AN ACT RELATING TO CAPITAL CRIMES."

Introduced by: Senator Carpenter, by request.

No. 1156 "A BILL FOR AN ACT RELATING TO DRIVER'S LICENSE REVOCATION."

Introduced by: Senator Carpenter, by request.

No. 1157 "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF CONVICTED PERSONS."

Introduced by: Senator Carpenter, by request.

No. 1158 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT AND OPERATION OF AN APPELLATE RESEARCH AND LEGISLATIVE STAFF FOR THE HONOLULU PROSECUTING ATTORNEY."

Introduced by: Senator Carpenter, by request.

No. 1159 "A BILL FOR AN ACT RELATING TO ESTABLISHING A PUBLIC GUARDIANSHIP AGENCY."

Introduced by: Senator Carpenter.

No. 1160 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Senator Carpenter, by request.

No. 1161 "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS."

Introduced by: Senator Carpenter, by request.

No. 1162 "A BILL FOR AN ACT RELATING TO TRANSFER OF PATIENTS WITHIN A PSYCHIATRIC FACILITY."

Introduced by: Senator Carpenter, by request.

No. 1163 "A BILL FOR AN ACT RELATING TO PRE-SENTENCE DIAGNOSIS."

Introduced by: Senator Carpenter.

- No. 1164 "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES."
Introduced by: Senator Carpenter.
- No. 1165 "A BILL FOR AN ACT RELATING TO THE APPOINTMENT OF INTERPRETERS FOR HEARING-IMPAIRED INDIVIDUALS FOR ADMINISTRATIVE AND LEGISLATIVE PROCEEDINGS."
Introduced by: Senator Carpenter.
- No. 1166 "A BILL FOR AN ACT RELATING TO BAIL; BOND TO KEEP THE PEACE."
Introduced by: Senator Carpenter.
- No. 1167 "A BILL FOR AN ACT RELATING TO THEFT."
Introduced by: Senator Carpenter, by request.
- No. 1168 "A BILL FOR AN ACT RELATING TO CHILD ABUSE."
Introduced by: Senator Carpenter.
- No. 1169 "A BILL FOR AN ACT RELATING TO COUNTY LICENSES."
Introduced by: Senators Carpenter, Henderson and Solomon.
- No. 1170 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT BONDS."
Introduced by: Senators Carpenter, Henderson and Solomon.
- No. 1171 "A BILL FOR AN ACT RELATING TO NAMES."
Introduced by: Senator Carpenter.
- No. 1172 "A BILL FOR AN ACT RELATING TO NAMES."
Introduced by: Senator Carpenter, by request.
- No. 1173 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF TAX ANTICIPATION NOTES OF THE COUNTIES."
Introduced by: Senators Carpenter, Henderson and Solomon.
- No. 1174 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF NOTES IN ANTICIPATION NOTES OF FEDERAL OR STATE GRANTS."
Introduced by: Senators Carpenter, Henderson and Solomon.
- No. 1175 "A BILL FOR AN ACT RELATING TO COUNTIES."
Introduced by: Senators Carpenter, Henderson and Solomon.
- No. 1176 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS BY COUNTIES TO FINANCE PROCESSING ENTERPRISES."
Introduced by: Senator Carpenter.
- No. 1177 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS BY COUNTIES TO FINANCE MANUFACTURING ENTERPRISES."
Introduced by: Senators Carpenter, Henderson and Solomon.
- No. 1178 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS BY COUNTIES TO FINANCE INDUSTRIAL ENTERPRISES."
Introduced by: Senators Carpenter, Henderson and Solomon.
- No. 1179 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES."
Introduced by: Senators Carpenter and Solomon.
- No. 1180 "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESMEN."
Introduced by: Senators Carpenter, Toguchi and Holt.
- No. 1181 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF TWO JUDGMENTS ENTERED AGAINST THE STATE PURSUANT TO THE STATE TORT LIABILITY ACT."
Introduced by: Senator Carpenter.
- No. 1182 "A BILL FOR AN ACT RELATING TO IMPRISONMENT."
Introduced by: Senator Carpenter, by request.
- No. 1183 "A BILL FOR AN ACT RELATING TO PROOF OF VENUE."
Introduced by: Senator Carpenter, by request.
- No. 1184 "A BILL FOR AN ACT RELATING TO ROBBERY."
Introduced by: Senator Carpenter,

- by request.
- No. 1185 "A BILL FOR AN ACT RELATING TO EDUCATION."
Introduced by: Senator Carpenter.
- No. 1186 "A BILL FOR AN ACT RELATING TO FAMILY COURTS JURISDICTION."
Introduced by: Senator Carpenter.
- No. 1187 "A BILL FOR AN ACT RELATING TO TORT ACTIONS."
Introduced by: Senator Carpenter, by request.
- No. 1188 "A BILL FOR AN ACT RELATING TO MOTORCYCLE AND MOTOR SCOOTER PROTECTIVE DEVICES."
Introduced by: Senator Carpenter, by request.
- No. 1189 "A BILL FOR AN ACT RELATING TO TAXATION."
Introduced by: Senator Carpenter.
- No. 1190 "A BILL FOR AN ACT RELATING TO THE HAWAII CRIME COMMISSION."
Introduced by: Senator Carpenter, by request.
- No. 1191 "A BILL FOR AN ACT RELATING TO THE HAWAII CRIME COMMISSION."
Introduced by: Senator Carpenter, by request.
- No. 1192 "A BILL FOR AN ACT RELATING TO THE HAWAII CRIME COMMISSION."
Introduced by: Senator Carpenter, by request.
- No. 1193 "A BILL FOR AN ACT RELATING TO VICTIMS AND WITNESSES IN CRIMINAL PROCEEDINGS; DUTY OF PROSECUTING AND COUNTY ATTORNEYS."
Introduced by: Senator Carpenter, by request.
- No. 1194 "A BILL FOR AN ACT RELATING TO RIGHTS OF CRIME VICTIM."
Introduced by: Senator Carpenter, by request.
- No. 1195 "A BILL FOR AN ACT RELATING TO OTHER SPECIFIC DUTIES OF THE CHIEF OF POLICE."
Introduced by: Senator Carpenter, by request.
- No. 1196 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID FOR THE HAWAII REDEVELOPMENT AGENCY, COUNTY OF HAWAII."
Introduced by: Senators Carpenter, Solomon and Henderson.
- No. 1197 "A BILL FOR AN ACT RELATING TO CAPITAL CRIME."
Introduced by: Senators Carpenter, Cobb and Henderson.
- No. 1198 "A BILL FOR AN ACT RELATING TO EQUAL ACCESS TO JUSTICE."
Introduced by: Senators Carpenter, Toguchi and Holt.
- No. 1199 "A BILL FOR AN ACT RELATING TO STATE LIABILITY FOR CONVICTED PERSONS WHO PERFORM COMMUNITY SERVICE."
Introduced by: Senators Carpenter and Toguchi.
- No. 1200 "A BILL FOR AN ACT RELATING TO GUARANTIES BY COUNTIES."
Introduced by: Senators Carpenter, Henderson and Solomon.
- No. 1201 "A BILL FOR AN ACT RELATING TO FAMILY COURTS."
Introduced by: Senator Carpenter.
- No. 1202 "A BILL FOR AN ACT RELATING TO GRAND JURY COUNSEL AND PROCEEDING."
Introduced by: Senator Carpenter.
- No. 1203 "A BILL FOR AN ACT RELATING TO DISQUALIFICATION OF JUDGE."
Introduced by: Senator Carpenter, by request.
- No. 1204 "A BILL FOR AN ACT RELATING TO PUBLIC VIEW OF SELECTED FAMILY COURT PROCEEDINGS."
Introduced by: Senator Carpenter, by request.
- No. 1205 "A BILL FOR AN ACT RELATING TO NUISANCE

- ABATEMENT."
Introduced by: Senator Carpenter,
by request.
- No. 1206 "A BILL FOR AN ACT
RELATING TO JURY VERDICTS."
Introduced by: Senator Carpenter,
by request.
- No. 1207 "A BILL FOR AN ACT
RELATING TO WAIVER OF JURY."
Introduced by: Senator Carpenter,
by request.
- No. 1208 "A BILL FOR AN ACT
RELATING TO BRIBERY."
Introduced by: Senator Carpenter,
by request.
- No. 1209 "A BILL FOR AN ACT
RELATING TO POSSESSION OF
FIREARMS."
Introduced by: Senator Carpenter,
by request.
- No. 1210 "A BILL FOR AN ACT
RELATING TO DEFINITIONS OF
STATES OF MIND."
Introduced by: Senator Carpenter,
by request.
- No. 1211 "A BILL FOR AN ACT
RELATING TO INTOXICATING
LIQUOR."
Introduced by: Senator Carpenter,
by request.
- No. 1212 "A BILL FOR AN ACT
RELATING TO FINANCIAL DISCLO-
SURE BY JUDGES."
Introduced by: Senator Carpenter,
by request.
- No. 1213 "A BILL FOR AN ACT
RELATING TO PHYSICAL OR MEN-
TAL DISEASE, DISORDER, OR
DEFECT EXCLUDING PENAL RE-
SPONSIBILITY."
Introduced by: Senator Carpenter,
by request.
- No. 1214 "A BILL FOR AN ACT
RELATING TO FAMILY COURT."
Introduced by: Senator Carpenter,
by request.
- No. 1215 "A BILL FOR AN ACT
RELATING TO CHILDREN."
Introduced by: Senator Carpenter,
by request.
- No. 1216 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR
THE ESTABLISHMENT AND OPERA-
TION OF A CONSUMER FRAUD AND
WHITE COLLAR CRIME UNIT FOR
THE HONOLULU PROSECUTING
ATTORNEY."
Introduced by: Senator Carpenter,
by request.
- No. 1217 "A BILL FOR AN ACT
RELATING TO ORGANIZED CRIME.
CHAPTER 842, HAWAII REVISED
STATUTES."
Introduced by: Senator Carpenter,
by request.
- No. 1218 "A BILL FOR AN ACT
RELATING TO INTEREST ON JUDG-
MENTS."
Introduced by: Senator Carpenter,
by request.
- No. 1219 "A BILL FOR AN ACT
RELATING TO BLIGHT OF
SUMMONS DAMAGES."
Introduced by: Senator Carpenter,
by request.
- No. 1220 "A BILL FOR AN ACT
RELATING TO SEARCH AND SEI-
ZURE."
Introduced by: Senator Carpenter,
by request.
- No. 1221 "A BILL FOR AN ACT
RELATING TO SPECIFIC DUTIES
OF CHIEF OF POLICE."
Introduced by: Senator Carpenter,
by request.
- No. 1222 "A BILL FOR AN ACT
RELATING TO AWARD OF COMPEN-
SATION."
Introduced by: Senator Carpenter,
by request.
- No. 1223 "A BILL FOR AN ACT
RELATING TO CONTINUANCES:
HEARING OR TRIAL."
Introduced by: Senator Carpenter,
by request.
- No. 1224 "A BILL FOR AN ACT
RELATING TO CONTINUANCES:
HEARING OR TRIAL II."
Introduced by: Senator Carpenter,
by request.
- No. 1225 "A BILL FOR AN ACT
RELATING TO DISPOSITION OF
ACCUSED."

- Introduced by: Senator Carpenter,
by request.
- No. 1226 "A BILL FOR AN ACT
RELATING TO NOTICE TO VICTIMS
OF PRE-SENTENCE DIAGNOSIS."

Introduced by: Senator Carpenter,
by request.
- No. 1227 "A BILL FOR AN ACT
RELATING TO PRE-SENTENCE
MENTAL AND MEDICAL EXAMINA-
TION."

Introduced by: Senator Carpenter,
by request.
- No. 1228 "A BILL FOR AN ACT
RELATING TO AUTHORIZED DISPO-
SITION OF CONVICTED DEFEN-
DANTS."

Introduced by: Senator Carpenter,
by request.
- No. 1229 "A BILL FOR AN ACT
RELATING TO MODIFICATION OF
ACCUSED'S CONDITION."

Introduced by: Senator Carpenter,
by request.
- No. 1230 "A BILL FOR AN ACT
RELATING TO CONDITIONS OF
BAIL RELEASE."

Introduced by: Senator Carpenter,
by request.
- No. 1231 "A BILL FOR AN ACT
RELATING TO CORRECTIONS."

Introduced by: Senators Carpenter,
Toguchi, George, Cobb and Holt.
- No. 1232 "A BILL FOR AN ACT
RELATING TO SERVICES FOR
DEVELOPMENTALLY DELAYED
CHILDREN."

Introduced by: Senators Carpenter,
Toguchi and Solomon.
- No. 1233 "A BILL FOR AN ACT
RELATING TO COUNTY ZONING."

Introduced by: Senators Carpenter,
Cobb, Kawasaki, Cayetano, Aber-
crombie, Fernandes Salling and
Chang.
- No. 1234 "A BILL FOR AN ACT
RELATING TO CORPORATIONS."

Introduced by: Senators Carpenter,
Cobb, Uwayne, B. Kobayashi,
Cayetano, Abercrombie, Fernandes
Salling and Chang.
- No. 1235 "A BILL FOR AN ACT
RELATING TO CONSOLIDATION
AND MERGER OF CORPORATIONS."

Introduced by: Senators Carpenter,
Cobb, Machida, Kawasaki, B.
Kobayashi, Cayetano, Abercrombie,
Chang and Fernandes Salling.
- No. 1236 "A BILL FOR AN ACT
RELATING TO GAMBLING."

Introduced by: Senators Cayetano
and Carpenter.
- No. 1237 "A BILL FOR AN ACT
RELATING TO HIGHWAYS AND
MAKING AN APPROPRIATION
THEREFOR."

Introduced by: Senators Carpenter,
Solomon and Henderson.
- No. 1238 "A BILL FOR AN ACT
RELATING TO GREYHOUND
RACING."

Introduced by: Senators Carpenter
and Cayetano.
- No. 1239 "A BILL FOR AN ACT
RELATING TO ATTORNEY'S FEES
FOR FRIVOLOUS CLAIMS OR DE-
FENSES IN CIVIL ACTIONS."

Introduced by: Senators Carpenter,
Toguchi and Holt.
- No. 1240 "A BILL FOR AN ACT
RELATING TO PUBLIC UTILITIES."

Introduced by: Senators Carpenter
and Toguchi.
- No. 1241 "A BILL FOR AN ACT
RELATING TO CAPITAL IMPROVE-
MENT PROJECTS."

Introduced by: Senator Fernandes
Salling.
- No. 1242 "A BILL FOR AN ACT
RELATING TO THE REFORM OF
CHAPTER 804."

Introduced by: Senators Machida
and Yamasaki.
- No. 1243 "A BILL FOR AN ACT
MAKING VARIOUS APPROPRIA-
TIONS."

Introduced by: Senators Machida
and Yamasaki.
- No. 1244 "A BILL FOR AN ACT
RELATING TO MANDATORY PUR-
CHASE OF HAWAII PRODUCTS."

Introduced by: Senator Aki.
- No. 1245 "A BILL FOR AN ACT

- RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES."
Introduced by: Senator Young.
- No. 1246 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS."
Introduced by: Senator Young.
- No. 1247 "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES."
Introduced by: Senator Holt.
- No. 1248 "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE."
Introduced by: Senator Holt.
- No. 1249 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS."
Introduced by: Senator Holt.
- No. 1250 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS."
Introduced by: Senator Holt.
- No. 1251 "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX."
Introduced by: Senator Holt.
- No. 1252 "A BILL FOR AN ACT MAKING VARIOUS APPROPRIATIONS."
Introduced by: Senator Holt.
- No. 1253 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
Introduced by: Senators Holt, Kuroda, Toguchi, Henderson, A. Kobayashi, Ajifu, Young, Machida, Hagino, Uwaine and Chang.
- No. 1254 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
Introduced by: Senators Holt, Kuroda, Fernandes Salling, Toguchi, Henderson, A. Kobayashi, Ajifu, Young, Machida, Hagino, Yamasaki, Cayetano, Uwaine and Chang.
- No. 1255 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
Introduced by: Senators Holt, Mizuguchi, Young, Ajifu, Yamasaki, Kuroda, Aki, A. Kobayashi, Hagino and Chang.
- Introduced by: Senators Holt, Mizuguchi, Toguchi, Young, Ajifu, Yamasaki, Kuroda, Aki, A. Kobayashi, Fernandes Salling, Chang and Hagino.
- No. 1256 "A BILL FOR AN ACT RELATING TO TUITION WAIVERS, SCHOLARSHIPS AND FINANCIAL AIDS AT THE UNIVERSITY OF HAWAII."
Introduced by: Senators Holt, Mizuguchi, Toguchi, Young, Ajifu, Hagino, Yamasaki, Kuroda, Aki, A. Kobayashi and Chang.
- No. 1257 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII LIBRARIES."
Introduced by: Senators Holt, Chang, Machida, Hagino, B. Kobayashi, Yamasaki, Cayetano, Toguchi, Ajifu, Uwaine and Young.
- No. 1258 "A BILL FOR AN ACT RELATING TO THE JURISDICTION OF THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII."
Introduced by: Senators Holt, Machida, Hagino, Yamasaki, Cayetano, Toguchi, Ajifu, Uwaine and Young.
- No. 1259 "A BILL FOR AN ACT RELATING TO THE WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION PROFESSIONAL STUDENT EXCHANGE PROGRAM."
Introduced by: Senators Holt, Kuroda, Fernandes Salling, Toguchi, Henderson, A. Kobayashi, Ajifu, Young, Chang, Machida, Hagino, Yamasaki and Uwaine.
- No. 1260 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."
Introduced by: Senators Holt and Solomon.
- No. 1261 "A BILL FOR AN ACT RELATING TO HAWAII HISTORY."
Introduced by: Senators Holt, Chang, Machida, Hagino, Yamasaki, Cayetano, Toguchi, Ajifu, Uwaine and Young.
- No. 1262 "A BILL FOR AN ACT RELATING TO AQUATIC LIFE."
Introduced by: Senators Holt, Mizuguchi, Young, Ajifu, Yamasaki, Kuroda, Aki, A. Kobayashi, Hagino and Chang.

- No. 1263 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS AND THE PUBLIC LAND TRUST."
Introduced by: Senator Fernandes Salling.
- No. 1264 "A BILL FOR AN ACT RELATING TO FIREARMS."
Introduced by: Senator Fernandes Salling, by request.
- No. 1265 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
Introduced by: Senator Abercrombie.
- No. 1266 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ASSESS THE EFFECTS OF ELECTROMAGNETIC RADIATION FROM THE RADIO TRANSMITTER FACILITY AT LUALUALEI, OAHU."
Introduced by: Senator Abercrombie.
- No. 1267 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A MATCHING GRANT IN AID TO THE HONOLULU SYMPHONY FOR ENDOWMENT FUND PURPOSES."
Introduced by: Senator Abercrombie.
- No. 1268 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WAIKIKI AQUARIUM."
Introduced by: Senator Abercrombie.
- No. 1269 "A BILL FOR AN ACT MAKING VARIOUS APPROPRIATIONS."
Introduced by: Senator Abercrombie.
- No. 1270 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS."
Introduced by: Senator Abercrombie.
- No. 1271 "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES."
Introduced by: Senator Wong, by request.
- No. 1272 "A BILL FOR AN ACT RELATING TO THE KING KAMEHAMEHA CELEBRATION COMMISSION."
Introduced by: Senator Wong, by request.
- No. 1273 "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE."
Introduced by: Senator Wong, by request.
- No. 1274 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
Introduced by: Senator Wong, by request.
- No. 1275 "A BILL FOR AN ACT RELATING TO STATE BONDS."
Introduced by: Senator Wong, by request.
- No. 1276 "A BILL FOR AN ACT RELATING TO ANNUAL REPORTS."
Introduced by: Senator Wong, by request.
- No. 1277 "A BILL FOR AN ACT RELATING TO COUNSEL AND OTHER SERVICES FOR INDIGENT DEFENDANTS IN CRIMINAL CASES."
Introduced by: Senator Wong, by request.
- No. 1278 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."
Introduced by: Senator Wong, by request.
- No. 1279 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY."
Introduced by: Senator Wong, by request.
- No. 1280 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY."
Introduced by: Senator Wong, by request.
- No. 1281 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."
Introduced by: Senator Wong, by request.
- No. 1272 "A BILL FOR AN ACT RELATING TO THE KING

- No. 1282 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."
Introduced by: Senator Wong, by request.
- No. 1283 "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS."
Introduced by: Senator Wong, by request.
- No. 1284 "A BILL FOR AN ACT RELATING TO INTERPRETERS FOR HEARING-IMPAIRED INDIVIDUALS."
Introduced by: Senator Wong, by request.
- No. 1285 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY."
Introduced by: Senator Wong, by request.
- No. 1286 "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS."
Introduced by: Senator Wong, by request.
- No. 1287 "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES."
Introduced by: Senator Wong, by request.
- No. 1288 "A BILL FOR AN ACT RELATING TO BOXING."
Introduced by: Senator Wong, by request.
- No. 1289 "A BILL FOR AN ACT RELATING TO THE COLLECTION OF CHILD SUPPORT."
Introduced by: Senator Wong, by request.
- No. 1290 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING."
Introduced by: Senator Wong, by request.
- No. 1291 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING."
Introduced by: Senator Wong, by request.
- No. 1292 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT OF THE HOLO HOLO CASES."
Introduced by: Senator Wong, by request.
- No. 1293 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS."
Introduced by: Senators Solomon, Carpenter and Henderson.
- No. 1294 "A BILL FOR AN ACT RELATING TO ALLOWANCES FOR LEGISLATORS."
Introduced by: Senator Wong.
- No. 1295 "A BILL FOR AN ACT RELATING TO SERVICE CORPORATIONS."
Introduced by: Senator Wong.
- No. 1296 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE FRIENDS OF WAIPAHU GARDEN PARK."
Introduced by: Senator Young.
- No. 1297 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY INDUSTRIES."
Introduced by: Senator Cayetano.
- No. 1299 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REAPPORTIONMENT."
Introduced by: Senators Wong and Henderson.
- No. 1300 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS."
Introduced by: Senator B. Kobayashi.
- No. 1319 "A BILL FOR AN ACT RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY."
Introduced by: Senator Wong.
- No. 1320 "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN SERVICING."
Introduced by: Senator Wong.
- On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills were referred to print and were placed on the calendar for further consideration on

Wednesday, February 16, 1983:

Senate Bills

No. 1298 "A BILL FOR AN ACT RELATING TO ISSUANCE OF BONDS FOR HAWAIIAN PROGRAMS."

Introduced by: Senators Wong and Henderson.

No. 1301 "A BILL FOR AN ACT RELATING TO AGRICULTURE AND MAKING AN APPROPRIATION THEREFOR."

Introduced by: Senators Wong and Henderson.

No. 1302 "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION AND COMMERCE AND MAKING AN APPROPRIATION THEREFOR."

Introduced by: Senators Wong and Henderson.

No. 1303 "A BILL FOR AN ACT RELATING TO CULTURE AND THE ARTS AND MAKING AN APPROPRIATION THEREFOR."

Introduced by: Senators Wong and Henderson.

No. 1304 "A BILL FOR AN ACT RELATING TO ENVIRONMENT, ECOLOGY, AND RECREATION AND MAKING APPROPRIATION THEREFOR."

Introduced by: Senators Wong and Henderson.

No. 1305 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT AND MAKING AN APPROPRIATION THEREFOR."

Introduced by: Senators Wong and Henderson.

No. 1306 "A BILL FOR AN ACT RELATING TO EDUCATION AND MAKING AN APPROPRIATION THEREFOR."

Introduced by: Senators Wong and Henderson.

No. 1307 "A BILL FOR AN ACT RELATING TO FEDERAL RELATIONS AND MAKING AN APPROPRIATION THEREFOR."

Introduced by: Senators Wong and Henderson.

No. 1308 "A BILL FOR AN ACT RELATING TO GOVERNMENT

OPERATIONS AND COUNTY RELATIONS AND MAKING AN APPROPRIATION THEREFOR."

Introduced by: Senators Wong and Henderson.

No. 1309 "A BILL FOR AN ACT RELATING TO HAWAIIAN PROGRAMS AND MAKING AN APPROPRIATION THEREFOR."

Introduced by: Senators Wong and Henderson.

No. 1310 "A BILL FOR AN ACT RELATING TO HEALTH AND MAKING AN APPROPRIATION THEREFOR."

Introduced by: Senators Wong and Henderson.

No. 1311 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION AND MAKING AN APPROPRIATION THEREFOR."

Introduced by: Senators Wong and Henderson.

No. 1312 "A BILL FOR AN ACT RELATING TO HOUSING AND URBAN DEVELOPMENT AND MAKING AN APPROPRIATION THEREFOR."

Introduced by: Senators Wong and Henderson.

No. 1313 "A BILL FOR AN ACT RELATING TO HUMAN RESOURCES AND MAKING AN APPROPRIATION THEREFOR."

Introduced by: Senators Wong and Henderson.

No. 1314 "A BILL FOR AN ACT RELATING TO JUDICIARY AND MAKING AN APPROPRIATION THEREFOR."

Introduced by: Senators Wong and Henderson.

No. 1315 "A BILL FOR AN ACT RELATING TO LEGISLATIVE MANAGEMENT AND MAKING AN APPROPRIATION THEREFOR."

Introduced by: Senators Wong and Henderson.

No. 1316 "A BILL FOR AN ACT RELATING TO TOURISM AND MAKING AN APPROPRIATION THEREFOR."

Introduced by: Senators Wong and Henderson.

- No. 1317 "A BILL FOR AN ACT RELATING TO TRANSPORTATION AND MAKING AN APPROPRIATION THEREFOR."
Introduced by: Senators Wong and Henderson.
- No. 1318 "A BILL FOR AN ACT RELATING TO YOUTH AND ELDERLY AFFAIRS AND MAKING AN APPROPRIATION THEREFOR."
Introduced by: Senators Wong and Henderson.
- No. 1321 "A BILL FOR AN ACT RELATING TO AGRICULTURE."
Introduced by: Senators Wong and Henderson.
- No. 1322 "A BILL FOR AN ACT RELATING TO AMENDING TITLE 11, HAWAII REVISED STATUTES."
Introduced by: Senators Wong and Henderson.
- No. 1323 "A BILL FOR AN ACT RELATING TO THE BEEF CATTLE INDUSTRY."
Introduced by: Senators Wong and Henderson.
- No. 1324 "A BILL FOR AN ACT RELATING TO SUGAR."
Introduced by: Senators Wong and Henderson.
- No. 1325 "A BILL FOR AN ACT RELATING TO PINEAPPLE."
Introduced by: Senators Wong and Henderson.
- No. 1326 "A BILL FOR AN ACT RELATING TO DAIRY INDUSTRIES."
Introduced by: Senators Wong and Henderson.
- No. 1327 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS."
Introduced by: Senators Wong and Henderson.
- No. 1328 "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS."
Introduced by: Senators Wong and Henderson.
- No. 1329 "A BILL FOR AN ACT RELATING TO PESTICIDES."
Introduced by: Senators Wong and Henderson.
- No. 1330 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS."
Introduced by: Senators Wong and Henderson.
- No. 1331 "A BILL FOR AN ACT RELATING TO AGRICULTURAL PRODUCT PROMOTION."
Introduced by: Senators Wong and Henderson.
- No. 1332 "A BILL FOR AN ACT RELATING TO WATER RESOURCES."
Introduced by: Senators Wong and Henderson.
- No. 1333 "A BILL FOR AN ACT RELATING TO THE GOVERNOR'S AGRICULTURE COORDINATING COMMITTEE."
Introduced by: Senators Wong and Henderson.
- No. 1334 "A BILL FOR AN ACT RELATING TO MILK."
Introduced by: Senators Wong and Henderson.
- No. 1335 "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION."
Introduced by: Senators Wong and Henderson.
- No. 1336 "A BILL FOR AN ACT RELATING TO BUSINESS."
Introduced by: Senators Wong and Henderson.
- No. 1337 "A BILL FOR AN ACT RELATING TO USURY."
Introduced by: Senators Wong and Henderson.
- No. 1338 "A BILL FOR AN ACT RELATING TO REAL ESTATE."
Introduced by: Senators Wong and Henderson.
- No. 1339 "A BILL FOR AN ACT RELATING TO INSURANCE."
Introduced by: Senators Wong and Henderson.
- No. 1340 "A BILL FOR AN ACT RELATING TO AMENDING CHAPTER

- 421C, HAWAII REVISED STATUTES."
- Introduced by: Senators Wong and Henderson.
- No. 1341 "A BILL FOR AN ACT RELATING TO LICENSING OF DEVELOPERS."
- Introduced by: Senators Wong and Henderson.
- No. 1342 "A BILL FOR AN ACT RELATING TO REAL ESTATE LICENSEES."
- Introduced by: Senators Wong and Henderson.
- No. 1343 "A BILL FOR AN ACT RELATING TO CULTURE."
- Introduced by: Senators Wong and Henderson.
- No. 1344 "A BILL FOR AN ACT RELATING TO ARTISTS AND ART WORK."
- Introduced by: Senators Wong and Henderson.
- No. 1345 "A BILL FOR AN ACT RELATING TO STATE EXPENDITURES FOR ART."
- Introduced by: Senators Wong and Henderson.
- No. 1346 "A BILL FOR AN ACT RELATING TO ART CENTER FACILITIES."
- Introduced by: Senators Wong and Henderson.
- No. 1347 "A BILL FOR AN ACT RELATING TO ECOLOGY."
- Introduced by: Senators Wong and Henderson.
- No. 1348 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."
- Introduced by: Senators Wong and Henderson.
- No. 1349 "A BILL FOR AN ACT RELATING TO RECREATION."
- Introduced by: Senators Wong and Henderson.
- No. 1350 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY."
- Introduced by: Senators Wong and Henderson.
- Henderson.
- No. 1351 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."
- Introduced by: Senators Wong and Henderson.
- No. 1352 "A BILL FOR AN ACT RELATING TO HISTORIC SITES."
- Introduced by: Senators Wong and Henderson.
- No. 1353 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."
- Introduced by: Senators Wong and Henderson.
- No. 1354 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY PARKS."
- Introduced by: Senators Wong and Henderson.
- No. 1355 "A BILL FOR AN ACT RELATING TO NATURAL RESOURCES."
- Introduced by: Senators Wong and Henderson.
- No. 1356 "A BILL FOR AN ACT RELATING TO FINANCIAL AND TECHNICAL ASSISTANCE TO BUSINESS."
- Introduced by: Senators Wong and Henderson.
- No. 1357 "A BILL FOR AN ACT RELATING TO AQUACULTURE."
- Introduced by: Senators Wong and Henderson.
- No. 1358 "A BILL FOR AN ACT RELATING TO HAWAII STATE PLAN."
- Introduced by: Senators Wong and Henderson.
- No. 1359 "A BILL FOR AN ACT RELATING TO PLANNING."
- Introduced by: Senators Wong and Henderson.
- No. 1360 "A BILL FOR AN ACT RELATING TO LAND USE."
- Introduced by: Senators Wong and Henderson.
- No. 1361 "A BILL FOR AN ACT RELATING TO WATER USE."

- Introduced by: Senators Wong and Henderson.
- No. 1362 "A BILL FOR AN ACT RELATING TO MARINE RESOURCE DEVELOPMENT."
- Introduced by: Senators Wong and Henderson.
- No. 1363 "A BILL FOR AN ACT RELATING TO NEW INDUSTRY DEVELOPMENT."
- Introduced by: Senators Wong and Henderson.
- No. 1364 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."
- Introduced by: Senators Wong and Henderson.
- No. 1365 "A BILL FOR AN ACT RELATING TO RESEARCH AND DEVELOPMENT."
- Introduced by: Senators Wong and Henderson.
- No. 1366 "A BILL FOR AN ACT RELATING TO INTERNATIONAL TRADE AND INDUSTRY."
- Introduced by: Senators Wong and Henderson.
- No. 1367 "A BILL FOR AN ACT RELATING TO ENERGY."
- Introduced by: Senators Wong and Henderson.
- No. 1368 "A BILL FOR AN ACT RELATING TO FOREIGN TRADE ZONE."
- Introduced by: Senators Wong and Henderson.
- No. 1369 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Senators Wong and Henderson.
- No. 1370 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Senators Wong and Henderson.
- No. 1371 "A BILL FOR AN ACT RELATING TO INSTRUCTIONAL MEDIA."
- Introduced by: Senators Wong and Henderson.
- No. 1372 "A BILL FOR AN ACT RELATING TO TEACHERS."
- Introduced by: Senators Wong and Henderson.
- No. 1373 "A BILL FOR AN ACT RELATING TO REGULAR INSTRUCTION PROGRAMS."
- Introduced by: Senators Wong and Henderson.
- No. 1374 "A BILL FOR AN ACT RELATING TO OTHER REGULAR INSTRUCTION PROGRAMS."
- Introduced by: Senators Wong and Henderson.
- No. 1375 "A BILL FOR AN ACT RELATING TO THE EXCEPTIONAL CHILD PROGRAM."
- Introduced by: Senators Wong and Henderson.
- No. 1376 "A BILL FOR AN ACT RELATING TO COMPENSATORY EDUCATION."
- Introduced by: Senators Wong and Henderson.
- No. 1377 "A BILL FOR AN ACT RELATING TO SCHOOL FOOD SERVICES."
- Introduced by: Senators Wong and Henderson.
- No. 1378 "A BILL FOR AN ACT RELATING TO SAFETY AND SECURITY SERVICES."
- Introduced by: Senators Wong and Henderson.
- No. 1379 "A BILL FOR AN ACT RELATING TO PHYSICAL PLANT OPERATIONS AND MAINTENANCE."
- Introduced by: Senators Wong and Henderson.
- No. 1380 "A BILL FOR AN ACT RELATING TO PHYSICAL PLANT OPERATIONS AND MAINTENANCE."
- Introduced by: Senators Wong and Henderson.
- No. 1381 "A BILL FOR AN ACT RELATING TO STUDENT TRANSPORTATION."
- Introduced by: Senators Wong and Henderson.
- No. 1382 "A BILL FOR AN ACT RELATING TO INSTRUCTIONAL DEVELOPMENT."
- Introduced by: Senators Wong and Henderson.

- Henderson.
- No. 1383 "A BILL FOR AN ACT RELATING TO COUNSELING."
Introduced by: Senators Wong and Henderson.
- No. 1384 "A BILL FOR AN ACT RELATING TO STUDENT ACTIVITIES."
Introduced by: Senators Wong and Henderson.
- No. 1385 "A BILL FOR AN ACT RELATING TO ADULT EDUCATION."
Introduced by: Senators Wong and Henderson.
- No. 1386 "A BILL FOR AN ACT RELATING TO STATE ADMINISTRATION."
Introduced by: Senators Wong and Henderson.
- No. 1387 "A BILL FOR AN ACT RELATING TO DISTRICT ADMINISTRATION."
Introduced by: Senators Wong and Henderson.
- No. 1388 "A BILL FOR AN ACT RELATING TO SCHOOL ADMINISTRATION."
Introduced by: Senators Wong and Henderson.
- No. 1389 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS."
Introduced by: Senators Wong and Henderson.
- No. 1390 "A BILL FOR AN ACT RELATING TO SCHOOL PRIORITY FUND."
Introduced by: Senators Wong and Henderson.
- No. 1391 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."
Introduced by: Senators Wong and Henderson.
- No. 1392 "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION."
Introduced by: Senators Wong and Henderson.
- No. 1393 "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS."
Introduced by: Senators Wong and Henderson.
- No. 1394 "A BILL FOR AN ACT RELATING TO PSYCHOLOGICAL AND SCHOOL SOCIAL WORK SERVICES."
Introduced by: Senators Wong and Henderson.
- No. 1395 "A BILL FOR AN ACT RELATING TO LINEKONA SCHOOL."
Introduced by: Senators Wong and Henderson.
- No. 1396 "A BILL FOR AN ACT RELATING TO PUBLIC LIBRARIES."
Introduced by: Senators Wong and Henderson.
- No. 1397 "A BILL FOR AN ACT RELATING TO IMPACT AID."
Introduced by: Senators Wong and Henderson.
- No. 1398 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."
Introduced by: Senators Wong and Henderson.
- No. 1399 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."
Introduced by: Senators Wong and Henderson.
- No. 1400 "A BILL FOR AN ACT RELATING TO HAWAIIAN PROGRAMS."
Introduced by: Senators Wong and Henderson.
- No. 1401 "A BILL FOR AN ACT RELATING TO HAWAIIANS."
Introduced by: Senators Wong and Henderson.
- No. 1402 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION."
Introduced by: Senators Wong and Henderson.
- No. 1403 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT."
Introduced by: Senators Wong and Henderson.

- Henderson.
- No. 1404 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."
Introduced by: Senators Wong and Henderson.
- No. 1405 "A BILL FOR AN ACT RELATING TO HEALTH."
Introduced by: Senators Wong and Henderson.
- No. 1406 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."
Introduced by: Senators Wong and Henderson.
- No. 1407 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
Introduced by: Senators Wong and Henderson.
- No. 1408 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
Introduced by: Senators Wong and Henderson.
- No. 1409 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
Introduced by: Senators Wong and Henderson.
- No. 1410 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
Introduced by: Senators Wong and Henderson.
- No. 1411 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
Introduced by: Senators Wong and Henderson.
- No. 1412 "A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS."
Introduced by: Senators Wong and Henderson.
- No. 1413 "A BILL FOR AN ACT RELATING TO THE COMMUNITY COLLEGES."
Introduced by: Senators Wong and Henderson.
- No. 1414 "A BILL FOR AN ACT RELATING TO THE WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION."
Introduced by: Senators Wong and Henderson.
- No. 1415 "A BILL FOR AN ACT RELATING TO HOUSING."
Introduced by: Senators Wong and Henderson.
- No. 1416 "A BILL FOR AN ACT RELATING TO HOUSING."
Introduced by: Senators Wong and Henderson.
- No. 1417 "A BILL FOR AN ACT RELATING TO HOUSING."
Introduced by: Senators Wong and Henderson.
- No. 1418 "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY."
Introduced by: Senators Wong and Henderson.
- No. 1419 "A BILL FOR AN ACT RELATING TO LANDLORD AND TENANT."
Introduced by: Senators Wong and Henderson.
- No. 1420 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."
Introduced by: Senators Wong and Henderson.
- No. 1421 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."
Introduced by: Senators Wong and Henderson.
- No. 1422 "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES."
Introduced by: Senators Wong and Henderson.
- No. 1423 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."
Introduced by: Senators Wong and Henderson.
- No. 1424 "A BILL FOR AN ACT RELATING TO DISPLACED HOME-MAKERS."

- Introduced by: Senators Wong and Henderson.
- No. 1425 "A BILL FOR AN ACT RELATING TO LABOR AND INDUSTRIAL RELATIONS."
- Introduced by: Senators Wong and Henderson.
- No. 1426 "A BILL FOR AN ACT RELATING TO PERSONNEL SERVICES."
- Introduced by: Senators Wong and Henderson.
- No. 1427 "A BILL FOR AN ACT RELATING TO COMPARABLE WORTH."
- Introduced by: Senators Wong and Henderson.
- No. 1428 "A BILL FOR AN ACT RELATING TO HEALTH FUND."
- Introduced by: Senators Wong and Henderson.
- No. 1429 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."
- Introduced by: Senators Wong and Henderson.
- No. 1430 "A BILL FOR AN ACT RELATING TO EMPLOYEES RETIREMENT SYSTEM."
- Introduced by: Senators Wong and Henderson.
- No. 1431 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE."
- Introduced by: Senators Wong and Henderson.
- No. 1432 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- Introduced by: Senators Wong and Henderson.
- No. 1433 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION RATES AND BENEFITS."
- Introduced by: Senators Wong and Henderson.
- No. 1434 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE RATES."
- Introduced by: Senators Wong and Henderson.
- No. 1435 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."
- Introduced by: Senators Wong and Henderson.
- No. 1436 "A BILL FOR AN ACT RELATING TO THE HAWAII STATE CONSTITUTION."
- Introduced by: Senators Wong and Henderson.
- No. 1437 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."
- Introduced by: Senators Wong and Henderson.
- No. 1438 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."
- Introduced by: Senators Wong and Henderson.
- No. 1439 "A BILL FOR AN ACT RELATING TO COURTS."
- Introduced by: Senators Wong and Henderson.
- No. 1440 "A BILL FOR AN ACT RELATING TO THE SUPREME COURT."
- Introduced by: Senators Wong and Henderson.
- No. 1441 "A BILL FOR AN ACT RELATING TO THE INTERMEDIATE COURT OF APPEALS."
- Introduced by: Senators Wong and Henderson.
- No. 1442 "A BILL FOR AN ACT RELATING TO CIRCUIT COURTS."
- Introduced by: Senators Wong and Henderson.
- No. 1443 "A BILL FOR AN ACT RELATING TO DISTRICT COURTS."
- Introduced by: Senators Wong and Henderson.
- No. 1444 "A BILL FOR AN ACT RELATING TO FAMILY COURTS."
- Introduced by: Senators Wong and Henderson.
- No. 1445 "A BILL FOR AN ACT RELATING TO THE STATE TORT LIABILITY ACT."
- Introduced by: Senator Wong.
- No. 1446 "A BILL FOR AN ACT

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| RELATING TO THE ATTORNEY
GENERAL." | RELATING TO THE DEPARTMENT
OF TRANSPORTATION." |
| Introduced by: Senators Wong and
Henderson. | Introduced by: Senators Wong and
Henderson. |
| No. 1447 "A BILL FOR AN ACT
RELATING TO CORRECTIONS." | No. 1458 "A BILL FOR AN ACT
RELATING TO HIGHWAYS AND
AIRPORTS." |
| Introduced by: Senators Wong and
Henderson. | Introduced by: Senators Wong and
Henderson. |
| No. 1448 "A BILL FOR AN ACT
RELATING TO THE PUBLIC
SAFETY AND WELFARE
FUNCTIONAL PLAN." | No. 1459 "A BILL FOR AN ACT
RELATING TO TRANSPORTATION
SAFETY." |
| Introduced by: Senators Wong and
Henderson. | Introduced by: Senators Wong and
Henderson. |
| No. 1449 "A BILL FOR AN ACT
RELATING TO PROBATION." | No. 1460 "A BILL FOR AN ACT
RELATING TO VEHICLES." |
| Introduced by: Senators Wong and
Henderson. | Introduced by: Senators Wong and
Henderson. |
| No. 1450 "A BILL FOR AN ACT
RELATING TO PAROLE." | No. 1461 "A BILL FOR AN ACT
RELATING TO THE STATE
CONSTITUTION." |
| Introduced by: Senators Wong and
Henderson. | Introduced by: Senators Wong and
Henderson. |
| No. 1451 "A BILL FOR AN ACT
RELATING TO SENTENCING." | No. 1462 "A BILL FOR AN ACT
RELATING TO DISASTER RELIEF." |
| Introduced by: Senators Wong and
Henderson. | Introduced by: Senators Wong and
Henderson. |
| No. 1452 "A BILL FOR AN ACT
RELATING TO REAPPORTION-
MENT." | No. 1463 "A BILL FOR AN ACT
RELATING TO EMPLOYMENT SECU-
RITY." |
| Introduced by: Senators Wong and
Henderson. | Introduced by: Senators Wong and
Henderson. |
| No. 1453 "A BILL FOR AN ACT
RELATING TO THE LEGISLATURE." | No. 1464 "A BILL FOR AN ACT
RELATING TO TAXATION." |
| Introduced by: Senators Wong and
Henderson. | Introduced by: Senators Wong and
Henderson. |
| No. 1454 "A BILL FOR AN ACT
RELATING TO TOURISM." | No. 1465 "A BILL FOR AN ACT
RELATING TO TAXATION." |
| Introduced by: Senators Wong and
Henderson. | Introduced by: Senators Wong and
Henderson. |
| No. 1455 "A BILL FOR AN ACT
RELATING TO TOURISM AND
VISITOR SECURITY." | No. 1466 "A BILL FOR AN ACT
RELATING TO THE EMPLOYEES
RETIREMENT SYSTEM." |
| Introduced by: Senators Wong and
Henderson. | Introduced by: Senators Wong and
Henderson. |
| No. 1456 "A BILL FOR AN ACT
RELATING TO TRANSPORTATION." | No. 1467 "A BILL FOR AN ACT
RELATING TO THE PUBLIC
EMPLOYEES HEALTH FUND." |
| Introduced by: Senators Wong and
Henderson. | Introduced by: Senators Wong and
Henderson. |
| No. 1457 "A BILL FOR AN ACT | |

- No. 1468 "A BILL FOR AN ACT RELATING TO OFFICE OF HAWAIIAN AFFAIRS."
Introduced by: Senators Wong and Henderson.
- No. 1469 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT."
Introduced by: Senators Wong and Henderson.
- No. 1470 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS."
Introduced by: Senators Wong and Henderson.
- No. 1471 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."
Introduced by: Senators Wong and Henderson.
- No. 1472 "A BILL FOR AN ACT RELATING TO STATE FOUNDATIONS."
Introduced by: Senators Wong and Henderson.
- No. 1473 "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS."
Introduced by: Senators Wong and Henderson.
- No. 1474 "A BILL FOR AN ACT RELATING TO EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING."
Introduced by: Senators Wong and Henderson.
- No. 1475 "A BILL FOR AN ACT RELATING TO GRANTS-IN-AID."
Introduced by: Senators Wong and Henderson.
- No. 1476 "A BILL FOR AN ACT RELATING TO LAPSING."
Introduced by: Senators Wong and Henderson.
- No. 1477 "A BILL FOR AN ACT RELATING TO LOANS."
Introduced by: Senators Wong and Henderson.
- No. 1478 "A BILL FOR AN ACT RELATING TO THE BUDGETING PROCESS."
Introduced by: Senators Wong and Henderson.
- No. 1479 "A BILL FOR AN ACT RELATING TO THE BUDGET."
Introduced by: Senators Wong and Henderson.
- No. 1480 "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE."
Introduced by: Senators Wong and Henderson.
- No. 1481 "A BILL FOR AN ACT RELATING TO EXECUTIVE DEPARTMENTS."
Introduced by: Senators Wong and Henderson.
- No. 1482 "A BILL FOR AN ACT RELATING TO EXECUTIVE DEPARTMENTS."
Introduced by: Senators Wong and Henderson.
- No. 1483 "A BILL FOR AN ACT RELATING TO JUDICIARY."
Introduced by: Senators Wong and Henderson.
- No. 1484 "A BILL FOR AN ACT RELATING TO LEGISLATURE."
Introduced by: Senators Wong and Henderson.
- No. 1485 "A BILL FOR AN ACT RELATING TO FEES."
Introduced by: Senators Wong and Henderson.
- No. 1486 "A BILL FOR AN ACT RELATING TO NON-TAX REVENUES."
Introduced by: Senators Wong and Henderson.
- No. 1487 "A BILL FOR AN ACT RELATING TO YOUTH AND THE ELDERLY."
Introduced by: Senators Wong and Henderson.
- No. 1488 "A BILL FOR AN ACT RELATING TO THE EXECUTIVE OFFICE ON AGING."
Introduced by: Senators Wong and Henderson.
- No. 1489 "A BILL FOR AN ACT

RELATING TO THE OFFICE OF CHILDREN AND YOUTH."

Introduced by: Senators Wong and Henderson.

No. 1490 "A BILL FOR AN ACT RELATING TO CHILDREN."

Introduced by: Senators Wong and Henderson.

No. 1491 "A BILL FOR AN ACT RELATING TO THE ELDERLY."

Introduced by: Senators Wong and Henderson.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 18) informing the Senate that Senate Concurrent Resolution Nos. 22 to 24; Senate Resolution Nos. 27 to 30; and Senate Bill Nos. 672 to 804 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

By unanimous consent, consideration of Senate Bill Nos. 672 to 804 was deferred until Wednesday, February 16, 1983.

MISCELLANEOUS COMMUNICATION

A communication from the State Commission on Manpower and Full Employment (Misc Com. No. 4), transmitting copies of a report prepared by the State Commission on Manpower and Full Employment and the State Advisory Council on Vocational Education entitled: "Discussion Paper, Area Vocational Centers - Should Hawaii Develop Them?" was read by the Clerk and was referred to the Committee on Human Resources.

At this time, Senator Kuroda rose and made the following announcement:

"Mr. President, a reminder again for those of you who are attending the 5:00 p.m. meeting today in the Majority Caucus Room. A very healthy discussion is expected with the hotel industry on a very important subject called the hotel tax. There are 14 senators responded who

are coming. The hotel industry is expected to send about 18 people from the board of directors who'll answer all questions that are in our minds.

"Thank you."

Senator Abercrombie then rose and stated:

"Mr. President, did I understand the Majority Leader correctly that there is a caucus today?"

Senator Kuroda then responded:

"Yes, at 5:00 p.m. in the Majority Caucus Room, all senators, interested senators are invited to meet with the members of the hotel industry. We will have a discussion on the hotel room tax.

"The hotel room tax bills will be publicly heard in a public hearing on Wednesday, February 23rd at 3:00 p.m. in Conference Room 3. For additional information, the House leadership has met with the hotel industry about two weeks ago, and rather than having the hotel industry meet only with the Senate leadership, I suggested and the suggestion was accepted that the hotel industry meet with all senators so that the discussion can take place."

Senator Abercrombie then queried:

"Mr. President, is this an open meeting?"

Senator Kuroda then replied:

"Yes, this is a meeting...a closed meeting. This is a meeting among senators and the people from the hotel industry."

Senator Abercrombie then stated:

"Mr. President, then I will not attend. Thank you. The hotel industry has no more reason to be in a closed meeting with us senators than I have to be in a closed meeting with the Politburo of the Soviet Union."

"Mr. President, does this meeting with the hotel industry have the approval of the President of the Senate?"

The Chair (Senator Kawasaki) then replied:

"Yes, I believe it does, unless there is an opinion to the contrary. Senator Kuroda?"

Senator Kuroda then replied:

"I did not seek any permission of the President or anyone with regard to this meeting. The meeting was originally requested with the Senate leadership. The position of the Senate leadership is quite well known with regard to the issue of hotel room tax. I think it's important that if such a meeting is to take place, all senators should be invited to this meeting, and that's what's happening, Mr. President."

At 11:56 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 o'clock noon.

Senator Abercrombie then rose and stated:

"Mr. President, I think it's a bad idea for us to have this meeting and I would like to get some idea of the sense of the Senate on this in cancelling this meeting. I don't care what the House leadership does; maybe that's the way they do things over there, that they get together with a special interest.

"But where do we get off trying to pull the same kind of thing that the House did? We have these box lunch meetings up here, that's fine. Anybody can come who wants to come to them.

"They have a caucus so that we're on call for these dozens of the tourism industry. They come in and patronize us and let us know that we have a full and frank discussion about what they're stealing this year and how we can help them do it.

The Chair then replied:

"Senator Abercrombie, the Senate Rules allow the chairman of any committee to call in people from whom he wants information. This is not a decision making meeting. No Senator is compelled to attend the meeting. They do it on their own volition, so the rules do permit this.

Senator Abercrombie then stated:

"I beg your pardon, Mr. President, but I don't think that the rules permit anything of the kind. This is not a meeting with the chairman. This is the Majority Leader inviting the Senators to a closed caucus to meet with a special interest group.

"If you say that I don't have to come, that's beside the point. The point is that the Senate is giving sanction to having such a meeting with these people. Now who comes next week? The HGEA? And after that, who's it going to be to come in where we come on call and troop down to have a little heart-to-heart talk. We have public hearings, and we can have appointments.

"If the leadership...if we want to get together with these people, you can do that too, as far as I'm concerned. But, of course, that if you do it, you can be pretty much rest assured that I'm going to be one of those people who's voting against anything that you come up with.

"I'm saying that if you have this meeting this afternoon, you are giving sanction to the Senate to this kind of activity.

"All you have to do is pick up the papers or watch television, and these people have the impression now across the state that they own this state, anyway. They can do anything they want.

"Now, if they want to do something and run things, let them run for office. That's what they can do. I'm sick of having the hotel industry -- certain members of it -- who dominate the others and keep everybody down, giving the impression and now having us give sanction to it...that they come in and command us, to come and have an audience with them, to hell with it!"

The Chair then stated:

"Senator Abercrombie, I've got to correct you. The meeting was not called at the behest of the industry. I understand the chairman of the Tourism Committee wanted some information. He, at his own volition, initiated this meeting. I believe that he has the right to call people in for information. Whether it amounts to a single person in his office or a whole group of people representing an industry, I think is irrelevant, but the Senate Rules do permit this and the Chair would so rule.

"If you wish to appeal the decision of the Chair, I'll bring it up for a vote."

At 12:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:08

o'clock p.m.

The Chair then stated:

"The Chair would like to clarify the status of this particular meeting being called.

"It is not a leadership-called meeting. It is not a meeting of the Tourism Committee. I believe the Senate Rules do allow any member of the Senate to call in anyone he wants to into conference to obtain information and this is permitted.

"Now, if you wish to appeal the decision of the Chair that so rules, I would be glad to put that for a vote."

Senator Abercrombie then replied:

"You mean on that basis, Mr. President, you're saying that a

member of the Senate is inviting people from the community to a meeting and is inviting Senators to attend that meeting if they wish, and that's the sum and substance of it and it is not a Senate sanctioned foray?"

The Chair then responded:

"Yes, that's exactly the position of the Chair."

Senator Abercrombie then stated:

"Thank you very much, Mr. President."

ADJOURNMENT

At 12:10 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 16, 1983.

TWENTY-FIRST DAY

Wednesday, February 16, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Father Raymond A. Troik, Redemptorist Fathers of Oakland Province, Hickam Air Force Base, Hawaii, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie, Aki, Carpenter and Toguchi who were excused.

The Chair announced that he had read and approved the Journal of the Twentieth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Cobb introduced a group of 49 students from the fourth and fifth grades of Wilson Elementary School who were accompanied by their teachers, Mrs. Matsumoto and Mr. Kosaka.

Senator Kawasaki introduced Mr. James Hall and stated: "Mr. President, this gentleman gave some very excellent testimony in the Judiciary Committee today regarding the newspaper bills. He presented what was basically the issue and summarized it all in an excellent testimony, and I understand that he was a former official of the Republican Party."

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 80) transmitting copies of the Annual Report, 1981-82, prepared by the Department of Personnel Services, was read by the Clerk and was referred to the Committee on Human Resources.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 25), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE REMOVAL OF K-POI RADIO TOWER FROM KALIHI VALLEY," was offered by Senators Kawasaki, Wong, Ajifu, Aki, Fernandes Salling, B. Kobayashi, Solomon, Kuroda, Cayetano, Abercrombie, Carpenter, Uwayne and Hagino, and was read by the Clerk.

By unanimous consent, consideration of S.C.R. No. 25 was deferred to Thursday, February 17, 1983.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 31 to 33) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 31), entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT A STUDY ON THE ADMINISTRATIVE, PHYSICAL, AND EDUCATIONAL INTEGRATION EXPERIENCE OF THE UNIVERSITY OF HAWAII AT HILO SINCE ITS INCEPTION IN JULY, 1970," was offered by Senators Holt, Kuroda, Fernandes Salling, Toguchi, Henderson, A. Kobayashi, Ajifu, Young, Machida, Yamasaki, Uwayne, Chang, Hagino and Cayetano.

By unanimous consent, consideration of S.R. No. 31 was deferred to Thursday, February 17, 1983.

A resolution (S.R. No. 32), entitled: "SENATE RESOLUTION REQUESTING AN IMPROVEMENT OF THE HAWAIIAN EDUCATION PROGRAM," was offered by Senators Holt, Kuroda, Fernandes Salling, Toguchi, Henderson, A. Kobayashi, Ajifu, Young, Machida, Yamasaki, Cayetano, Uwayne, Chang and Hagino.

By unanimous consent, consideration of S.R. No. 32 was deferred to Thursday, February 17, 1983.

A resolution (S.R. No. 33), entitled: "SENATE RESOLUTION REQUESTING THE REMOVAL OF K-POI RADIO TOWER FROM KALIHI VALLEY," was offered by Senators Kawasaki, Wong, Ajifu, Aki, Fernandes Salling, B. Kobayashi, Solomon, Kuroda, Cayetano, Abercrombie, Carpenter, Uwayne, Mizuguchi, Chang, Soares and Hagino.

By unanimous consent, consideration of S.R. No. 33 was deferred to Thursday, February 17, 1983.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented

a report (Stand. Com. Rep. No. 19) informing the Senate that Senate Concurrent Resolution No. 25, Senate Resolution Nos. 31 to 33, and Senate Bill Nos. 805 to 1491 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Tuesday, February 15, 1983:

Senate
Concurrent
Resolutions Referred to:

No. 23 Committee on Ecology,
Environment and Recreation

No. 24 Committee on Govern-
ment Operations and County Re-
lations

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Tuesday, February 15, 1983:

Senate
Resolutions Referred to:

No. 27 Committee on Tourism

No. 28 Committee on Human
Resources

No. 29 Committee on Govern-
ment Operations and County Re-
lations, then to the Committee on
Legislative Management

No. 30 Committee on Govern-
ment Operations and County Re-
lations.

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Monday, February 14, 1983:

Senate Bills Referred to:

No. 672 Committee on Housing
and Urban Development

No. 673 Committee on Govern-
ment Operations and County
Relations, then to the Committee on
Ways and Means

No. 674 Committee on Tourism,
then to the Committee on Ways and
Means

No. 675 Committee on Housing
and Urban Development, then to the
Committee on Ways and Means

No. 676 Committee on Housing
and Urban Development

No. 677 Committee on Ways and
Means

No. 678 Committee on Govern-
ment Operations and County Re-
lations

No. 679 Committee on Housing
and Urban Development, then to the
Committee on Ways and Means

No. 680 Committee on Housing
and Urban Development, then to the
Committee on Ways and Means

No. 681 Committee on Housing
and Urban Development, then to the
Committee on Ways and Means

No. 682 Committee on Housing
and Urban Development, then to the
Committee on Ways and Means

No. 683 Committee on Housing
and Urban Development, then to the
Committee on Ways and Means

No. 684 Committee on Housing
and Urban Development, then to the
Committee on Economic Development

No. 685 Committee on Housing
and Urban Development

No. 686 Committee on Housing
and Urban Development, then to the
Committee on Ways and Means

No. 687 Committee on Housing
and Urban Development

No. 688 Committee on Govern-
ment Operations and County
Relations

No. 689 Committee on Govern-
ment Operations and County Re-
lations, then to the Committee on
Ways and Means

No. 690 Committee on Govern-
ment Operations and County Re-
lations, then to the Committee on
Ways and Means

- No. 691 Committee on Transportation, then to the Committee on Ways and Means
- No. 692 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 693 Committee on Government Operations and County Relations, then to the Committee on Ways and Means
- No. 694 Committee on Judiciary
- No. 695 Committee on Government Operations and County Relations, then to the Committee on Ways and Means
- No. 696 Committee on Transportation, then to the Committee on Ways and Means
- No. 697 Committee on Government Operations and County Relations, then to the Committee on Ways and Means
- No. 698 Committee on Ways and Means
- No. 699 Committee on Consumer Protection and Commerce
- No. 700 Committee on Government Operations and County Relations, then to the Committee on Ways and Means
- No. 701 Committee on Economic Development, then to the Committee on Ways and Means
- No. 702 Committee on Consumer Protection and Commerce
- No. 703 Committee on Housing and Urban Development
- No. 704 Committee on Housing and Urban Development, then to the Committee on Ways and Means
- No. 705 Committee on Judiciary, then to the Committee on Ways and Means
- No. 706 Committee on Transportation, then to the Committee on Judiciary
- No. 707 Committee on Consumer Protection and Commerce
- No. 708 Committee on Health
- No. 709 Committee on Consumer Protection and Commerce
- No. 710 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 711 Committee on Consumer Protection and Commerce
- No. 712 Committee on Judiciary
- No. 713 Committee on Consumer Protection and Commerce
- No. 714 Committee on Health, then to the Committee on Ways and Means
- No. 715 Committee on Economic Development
- No. 716 Committee on Agriculture, then to the Committee on Ways and Means
- No. 717 Committee on Health, then to the Committee on Youth and Elderly Affairs
- No. 718 Jointly to the Committee on Health and the Committee on Youth and Elderly Affairs, then to the Committee on Ways and Means
- No. 719 Committee on Human Resources, then to the Committee on Ways and Means
- No. 720 Committee on Government Operations and County Relations
- No. 721 Committee on Hawaiian Programs, then to the Committee on Ways and Means
- No. 722 Committee on Hawaiian Programs
- No. 723 Committee on Government Operations and County Relations
- No. 724 Committee on Hawaiian Programs
- No. 725 Committee on Consumer Protection and Commerce
- No. 726 Committee on Ways and Means
- No. 727 Committee on Government Operations and County Relations, then to the Committee on Ways and Means
- No. 728 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 729 Committee on Government Operations and County Relations, then to the Committee on

- Ways and Means
- No. 730 Committee on Transportation, then to the Committee on Ways and Means
- No. 731 Committee on Transportation, then to the Committee on Ways and Means
- No. 732 Committee on Transportation, then to the Committee on Ways and Means
- No. 733 Committee on Transportation, then to the Committee on Ways and Means
- No. 734 Committee on Human Resources, then to the Committee on Ways and Means
- No. 735 Committee on Consumer Protection and Commerce
- No. 736 Committee on Government Operations and County Relations, then to the Committee on Ways and Means
- No. 737 Committee on Transportation, then to the Committee on Judiciary
- No. 738 Committee on Judiciary
- No. 739 Committee on Transportation
- No. 740 Committee on Transportation
- No. 741 Committee on Transportation
- No. 742 Committee on Transportation
- No. 743 Committee on Transportation
- No. 744 Committee on Human Resources, then to the Committee on Ways and Means
- No. 745 Committee on Health, then to the Committee on Ways and Means
- No. 746 Committee on Judiciary
- No. 747 Committee on Judiciary
- No. 748 Committee on Judiciary
- No. 749 Committee on Transportation
- No. 750 Committee on Judiciary, then to the Committee on Ways and Means
- No. 751 Committee on Judiciary
- No. 752 Committee on Judiciary
- No. 753 Committee on Government Operations and County Relations, then to the Committee on Ways and Means
- No. 754 Jointly to the Committee on Economic Development and the Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 755 Committee on Economic Development, then to the Committee on Ways and Means
- No. 756 Committee on Economic Development
- No. 757 Committee on Consumer Protection and Commerce
- No. 758 Committee on Judiciary, then to the Committee on Ways and Means
- No. 759 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 760 Committee on Ecology, Environment and Recreation
- No. 761 Committee on Health
- No. 762 Committee on Transportation
- No. 763 Committee on Ways and Means
- No. 764 Committee on Consumer Protection and Commerce
- No. 765 Committee on Judiciary
- No. 766 Committee on Ecology, Environment and Recreation
- No. 767 Committee on Consumer Protection and Commerce
- No. 768 Committee on Government Operations and County Relations, then to the Committee on Ways and Means
- No. 769 Committee on Consumer Protection and Commerce
- No. 770 Committee on Health
- No. 771 Committee on Human Resources, then to the Committee on Ways and Means
- No. 772 Committee on Human Resources, then to the Committee

- on Ways and Means
- No. 773 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 774 Committee on Human Resources, then to the Committee on Ways and Means
- No. 775 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary
- No. 776 Committee on Consumer Protection and Commerce
- No. 777 Committee on Consumer Protection and Commerce
- No. 778 Committee on Consumer Protection and Commerce
- No. 779 Committee on Judiciary, then to the Committee on Committee on Ways and Means
- No. 780 Committee on Human Resources, then to the Committee on Ways and Means
- No. 781 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 782 Committee on Consumer Protection and Commerce
- No. 783 Committee on Consumer Protection and Commerce
- No. 784 Committee on Judiciary
- No. 785 Committee on Consumer Protection and Commerce
- No. 786 Committee on Consumer Protection and Commerce
- No. 787 Committee on Consumer Protection and Commerce
- No. 788 Committee on Consumer Protection and Commerce
- No. 789 Committee on Consumer Protection and Commerce
- No. 790 Committee on Consumer Protection and Commerce
- No. 791 Committee on Consumer Protection and Commerce
- No. 792 Committee on Consumer Protection and Commerce
- No. 793 Committee on Consumer Protection and Commerce
- No. 794 Committee on Consumer Protection and Commerce
- No. 795 Committee on Consumer Protection and Commerce
- No. 796 Committee on Consumer Protection and Commerce
- No. 797 Committee on Consumer Protection and Commerce
- No. 798 Committee on Consumer Protection and Commerce
- No. 799 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 800 Committee on Consumer Protection and Commerce
- No. 801 Committee on Consumer Protection and Commerce
- No. 802 Committee on Ecology, Environment and Recreation
- No. 803 Committee on Human Resources, then to the Committee on Ways and Means
- No. 804 Committee on Ecology, Environment and Recreation
- By unanimous consent, consideration of Senate Bill Nos. 805 to 1491 was deferred until Thursday, February 17, 1983.
- RE-REFERRAL OF
SENATE BILLS
- The President re-referred the following bills that were introduced on the respective dates:
- Wednesday, January 26, 1983
- Senate Bills Referred to:
- No. 32 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 89 Committee on Human Resources, then to the Committee on Youth and Elderly Affairs
- No. 130 Jointly to the Committee on Health and the Committee on Education
- No. 132 Committee on Agriculture, Committee on Economic Development, then to the Committee on Ways and Means
- No. 207 Committee on Youth and Elderly Affairs, then to the Committee on Judiciary

No. 221 Jointly to the Committee on Higher Education and the Committee on Education

No. 232 Committee on Transportation, then to the Committee on Judiciary

Thursday, January 27, 1983

Senate Bills Referred to:

No. 257 Committee on Judiciary, then to the Committee on Ways and Means

No. 270 Committee on Transportation, then to the Committee on Judiciary

No. 271 Committee on Tourism, then to the Committee on Ways and Means

Tuesday, February 1, 1983

Senate Bill Referred to:

No. 322 Committee on Legislative Management, then to the Committee on Ways and Means

Wednesday, February 2, 1983

Senate Bills Referred to:

No. 327 Committee on Housing and Urban Development, then to the Committee on Ways and Means

No. 367 Committee on Transportation, then to the Committee on Judiciary

No. 381 Committee on Agriculture, then to the Committee on Ways and Means

No. 382 Committee on Agriculture, then to the Committee on Ways and Means

No. 385 Committee on Agriculture, then to the Committee on Ways and Means

No. 387 Committee on Agriculture, then to the Committee on Ways and Means

Friday, February 4, 1983

Senate Bills Referred to:

No. 403 Committee on Government Operations and County Relations, then to the Committee on Ways and Means

No. 405 Committee on Higher Education, then to the Committee on

Ways and Means

Monday, February 7, 1983

Senate Bill Referred to:

No. 449 Committee on Human Resources, then to the Committee on Ways and Means

Tuesday, February 8, 1983

Senate Bills Referred to:

No. 458 Committee on Human Resources, then to the Committee on Ways and Means

No. 460 Committee on Consumer Protection and Commerce

No. 466 Committee on Housing and Urban Development, then to the Committee on Ways and Means

Wednesday, February 9, 1983

Senate Bill Referred to:

No. 476 Committee on Housing and Urban Development, then to the Committee on Economic Development

Thursday, February 10, 1983

Senate Bills Referred to:

No. 539 Committee on Youth and Elderly Affairs, then to the Committee on Ways and Means

No. 544 Committee on Transportation, then to the Committee on Ways and Means

No. 548 Committee on Government Operations and County Relations, then to the Committee on Ways and Means

Friday, February 11, 1983

Senate Bills Referred to:

No. 629 Committee on Judiciary, then to the Committee on Ways and Means

No. 671 Committee on Transportation, then to the Committee on Ways and Means

Senator Soares then rose on a point of information and inquired as follows:

"Mr. President, a couple of days have gone by where we have not had the opportunity to have the referral sheets attached to the Order of the Day. Am I to understand that those

are now included in this morning's list?"

The Chair answered: "No, they are not. Because of the influx of bills yesterday, the cut-off date for introduction of bills, the accompanying referrals will be completed tomorrow."

Senator Soares then asked: "Mr. President, when are we going to get the Governor's messages on the various appointments to the openings in judgeships and other positions that are now available. Has there been any discussion between the leadership and the administration on this?"

The Chair answered: "Yes, the appointments to the various boards and commissions and of directors to departments are forthcoming. We should be receiving them within a week, following the five-day recess."

Senator Kuroda then expressed appreciation to the printshop workers for having worked very hard in

getting all the bills to the Senators.

At this time, Senator Cayetano rose on a point of personal privilege and stated as follows:

"Mr. President, I'm glad the Majority Leader mentioned the printshop. I hope next year we can pay them more. We should rename the place 'The Sweatshop.' All of us, I know, are concerned about the pay that they are getting there. They don't get overtime. We probably violate every labor law in the book. Next year, some consideration please."

The Chair answered: "Senator Cayetano, we are considering it this year."

ADJOURNMENT

At 11:45 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, February 17, 1983.

TWENTY-SECOND DAY

Thursday, February 17, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Doctor Dan L. Griffin, a visiting Pastor from Cliff Temple Baptist Church of Dallas, Texas, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie, Cayetano, Kawasaki and Toguchi who were excused.

The Chair announced that he had read and approved the Journal of the Twenty-First Day.

At this time, Senator Cobb, on behalf of Senators A. Kobayashi, B. Kobayashi and himself, introduced 15 students from the Kaimuki High School SLEP (Students with Limited English Proficiency) Program and their teacher, Mr. Paul Yuen.

Senator A. Kobayashi then rose and stated:

"Mr. President, Senator Clifford Uwaine and I would like to introduce Miss McKinley 1983 and her court.

"Miss Lynn Ann Akina will reign over the 19th Annual McKinley Carnival which will be held this weekend, February 18th and 19th. Lynn Ann is the daughter of Mr. and Mrs. Arthur Akina. She is a senior at McKinley and was recently nominated to Who's Who in American High Schools.

"Members of her court include: Darlene Ogoshi, Marissa Ayag, Joy Yang, Miss Popularity; Jeri-Lynn Ah Leong, Miss Congeniality; and they are accompanied this morning by their chaperone, Ms. Andrea Swider; and of course, their school mascot, the McKinley Tiger, Mario Fuentes.

"Everyone is invited to attend the McKinley High School Carnival this year. The funds raised will be used in their scholarship program, student clubs and activities, and it will really be an enjoyable affair.

"Thank you."

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 81) transmitting copies of

the following:

"Kaka'ako Community Development District Plan Amendments, (1983);" and

"Kaka'ako Community Development District Plan Rules Amendments (January 1983);"

prepared by the Hawaii Community Development Authority, was read by the Clerk and was referred to the Committee on Housing and Urban Development.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 12 to 17), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 12) transmitting House Bill No. 207, which passed Third Reading in the House of Representatives on February 16, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 207, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 13) transmitting House Bill No. 234, which passed Third Reading in the House of Representatives on February 16, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 234, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed First Reading by title and was referred to the Committee on Hawaiian Programs.

A communication from the House (Hse. Com. No. 14) transmitting House Bill No. 269, which passed Third Reading in the House of Representatives on February 16, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 269, entitled: "A BILL FOR AN ACT RELATING TO THE

APPOINTMENT OF MEMBERS TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed First Reading by title and was referred to the Committee on Housing and Urban Development.

A communication from the House (Hse. Com. No. 15) transmitting House Bill No. 275, which passed Third Reading in the House of Representatives on February 16, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 275, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 16) transmitting House Bill No. 277, which passed Third Reading in the House of Representatives on February 16, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 277, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 17) transmitting House Bill No. 280, which passed Third Reading in the House of Representatives on February 16, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 280, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed First Reading by title and was referred to the Committee on Economic Development.

ORDER OF THE DAY

REFERRAL OF SENATE CONCURRENT RESOLUTION

The President made the following committee assignment of a concurrent resolution that was offered on Wednesday, February 16, 1983:

Senate Concurrent Resolution	Referred to:
No. 25	Committee on Government Operations and County Relations

REFERRAL OF SENATE RESOLUTIONS

The President then made the following committee assignments of resolutions offered on Wednesday, February 16, 1983:

Senate Resolution	Referred to:
No. 31	Committee on Higher Education
No. 32	Committee on Higher Education
No. 33	Committee on Government Operations and County Relations

REFERRAL OF SENATE BILLS

The President then made the following committee assignments of bills that were introduced on Tuesday, February 15, 1983:

Senate Bills	Referred to:
No. 805	Committee on Consumer Protection and Commerce
No. 806	Committee on Government Operations and County Relations
No. 807	Committee on Ways and Means
No. 808	Committee on Consumer Protection and Commerce
No. 809	Committee on Consumer Protection and Commerce
No. 810	Committee on Consumer Protection and Commerce
No. 811	Committee on Consumer Protection and Commerce
No. 812	Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
No. 813	Committee on Judiciary
No. 814	Committee on Consumer Protection and Commerce
No. 815	Committee on Government Operations and County Relations
No. 816	Committee on Ways and Means
No. 817	Committee on Economic

- Development, then to the Committee on Ways and Means
- No. 818 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 819 Committee on Economic Development, then to the Committee on Ways and Means
- No. 820 Committee on Ways and Means
- No. 821 Committee on Health, then to the Committee on Ways and Means
- No. 822 Committee on Health
- No. 823 Committee on Health
- No. 824 Committee on Health, then to the Committee on Ways and Means
- No. 825 Committee on Health, then to the Committee on Ways and Means
- No. 826 Committee on Health, then to the Committee on Ways and Means
- No. 827 Committee on Health, then to the Committee on Ways and Means
- No. 828 Committee on Human Resources, then to the Committee on Ways and Means
- No. 829 Jointly to the Committee on Human Resources and the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 830 Committee on Human Resources
- No. 831 Committee on Human Resources, then to the Committee on Ways and Means
- No. 832 Jointly to the Committee on Human Resources and the Committee on Consumer Protection and Commerce
- No. 833 Committee on Human Resources, then to the Committee on Ways and Means
- No. 834 Committee on Human Resources, then to the Committee on Ways and Means
- No. 835 Committee on Judiciary, then to the Committee on Ways and Means
- No. 836 Committee on Human Resources, then to the Committee on Ways and Means
- No. 837 Committee on Government Operations and County Relations, then to the Committee on Ways and Means
- No. 838 Committee on Human Resources, then to the Committee on Ways and Means
- No. 839 Committee on Human Resources, then to the Committee on Ways and Means
- No. 840 Committee on Human Resources, then to the Committee on Ways and Means
- No. 841 Committee on Human Resources, then to the Committee on Ways and Means
- No. 842 Committee on Health
- No. 843 Committee on Human Resources, then to the Committee on Ways and Means
- No. 844 Committee on Human Resources, then to the Committee on Ways and Means
- No. 845 Committee on Human Resources, then to the Committee on Ways and Means
- No. 846 Committee on Health, then to the Committee on Ways and Means
- No. 847 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 848 Committee on Health, then to the Committee on Ways and Means
- No. 849 Committee on Human Resources, then to the Committee on Ways and Means
- No. 850 Committee on Health
- No. 851 Committee on Health
- No. 852 Committee on Education, then to the Committee on Ways and Means
- No. 853 Committee on Ways and Means
- No. 854 Committee on Tourism, then to the Committee on Ways and Means

- No. 855 Committee on Agriculture
- No. 856 Committee on Human Resources, then to the Committee on Ways and Means.
- No. 857 Committee on Health, then to the Committee on Ways and Means
- No. 858 Committee on Ways and Means
- No. 859 Committee on Ways and Means
- No. 860 Committee on Youth and Elderly Affairs, then to the Committee on Ways and Means
- No. 861 Committee on Human Resources, then to the Committee on Ways and Means.
- No. 862 Committee on Human Resources
- No. 863 Committee on Human Resources
- No. 864 Committee on Human Resources
- No. 865 Committee on Human Resources
- No. 866 Committee on Human Resources
- No. 867 Committee on Human Resources
- No. 868 Committee on Human Resources
- No. 869 Committee on Human Resources
- No. 870 Committee on Human Resources, then to the Committee on Ways and Means
- No. 871 Committee on Human Resources
- No. 872 Committee on Human Resources, then to the Committee on Ways and Means
- No. 873 Committee on Human Resources
- No. 874 Committee on Human Resources, then to the Committee on Ways and Means
- No. 875 Committee on Human Resources, then to the Committee on Ways and Means
- No. 876 Committee on Human Resources, then to the Committee on Ways and Means
- No. 877 Committee on Human Resources, then to the Committee on Ways and Means
- No. 878 Committee on Human Resources, then to the Committee on Ways and Means
- No. 879 Committee on Human Resources, then to the Committee on Ways and Means
- No. 880 Committee on Human Resources, then to the Committee on Ways and Means
- No. 881 Committee on Human Resources, then to the Committee on Ways and Means
- No. 882 Committee on Human Resources, then to the Committee on Ways and Means
- No. 883 Committee on Human Resources, then to the Committee on Ways and Means
- No. 884 Committee on Human Resources, then to the Committee on Ways and Means
- No. 885 Committee on Human Resources, then to the Committee on Ways and Means
- No. 886 Committee on Human Resources, then to the Committee on Ways and Means
- No. 887 Committee on Human Resources, then to the Committee on Ways and Means
- No. 888 Committee on Human Resources, then to the Committee on Ways and Means
- No. 889 Committee on Ecology, Environment and Recreation
- No. 890 Committee on Judiciary
- No. 891 Committee on Judiciary, then to the Committee on Ways and Means
- No. 892 Committee on Human Resources, then to the Committee on Ways and Means
- No. 893 Committee on Higher Education
- No. 894 Committee on Human Resources, then to the Committee on Ways and Means

- No. 895 Committee on Human Resources, then to the Committee on Ways and Means
- No. 896 Committee on Judiciary
- No. 897 Committee on Transportation, then to the Committee on Judiciary
- No. 898 Committee on Judiciary
- No. 899 Committee on Ways and Means
- No. 900 Committee on Economic Development, then to the Committee on Ways and Means
- No. 901 Jointly to the Committee on Youth and Elderly Affairs and the Committee on Hawaiian Programs, then to the Committee on Ways and Means
- No. 902 Committee on Human Resources, then to the Committee on Ways and Means
- No. 903 Committee on Economic Development
- No. 904 Committee on Consumer Protection and Commerce
- No. 905 Committee on Economic Development, then to the Committee on Ways and Means
- No. 906 Committee on Ways and Means
- No. 907 Committee on Economic Development
- No. 908 Committee on Economic Development
- No. 909 Jointly to the Committee on Economic Development and the Committee on Ecology, Environment and Recreation
- No. 910 Committee on Consumer Protection and Commerce
- No. 911 Committee on Human Resources, then to the Committee on Ways and Means
- No. 912 Committee on Judiciary
- No. 913 Committee on Ecology, Environment and Reereation
- No. 914 Committee on Judiciary
- No. 915 Committee on Judiciary
- No. 916 Committee on Human Resources, then to the Committee on Ways and Means
- No. 917 Committee on Consumer Protection and Commerce
- No. 918 Committee on Human Resources, then to the Committee on Ways and Means
- No. 919 Committee on Consumer Protection and Commerce.
- No. 920 Committee on Hawaiian Programs
- No. 921 Committee on Hawaiian Programs, then to the Committee on Ways and Means
- No. 922 Committee on Hawaiian Programs, then to the Committee on Ways and Means
- No. 923 Committee on Judiciary
- No. 924 Committee on Hawaiian Programs
- No. 925 Committee on Agriculture
- No. 926 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 927 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 928 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 929 Committee on Judiciary, then to the Committee on Ways and Means
- No. 930 Committee on Ways and Means
- No. 931 Committee on Human Resources, then to the Committee on Ways and Means
- No. 932 Committee on Health
- No. 933 Committee on Ways and Means
- No. 934 Committee on Health
- No. 935 Committee on Consumer Protection and Commerce
- No. 936 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means

No. 937	Committee on Ways and Means	No. 960	Committee on Transportation, then to the Committee on Ways and Means
No. 938	Committee on Judiciary, then to the Committee on Ways and Means	No. 961	Committee on Ways and Means
No. 939	Committee on Judiciary	No. 962	Committee on Ways and Means
No. 940	Committee on Human Resources	No. 963	Committee on Human Resources, then to the Committee on Ways and Means
No. 941	Committee on Ways and Means	No. 964	Committee on Ecology, Environment and Recreation
No. 942	Committee on Ways and Means	No. 965	Committee on Housing and Urban Development, then to the Committee on Ways and Means
No. 943	Committee on Ways and Means	No. 966	Committee on Housing and Urban Development, then to the Committee on Ways and Means
No. 944	Committee on Judiciary	No. 967	Committee on Housing and Urban Development
No. 945	Committee on Economic Development	No. 968	Committee on Housing and Urban Development
No. 946	Committee on Ecology, Environment and Recreation	No. 969	Committee on Housing and Urban Development
No. 947	Committee on Consumer Protection and Commerce	No. 970	Committee on Ways and Means
No. 948	Committee on Ways and Means	No. 971	Committee on Housing and Urban Development
No. 949	Committee on Agriculture, then to the Committee on Ways and Means	No. 972	Committee on Housing and Urban Development
No. 950	Committee on Consumer Protection and Commerce	No. 973	Committee on Housing and Urban Development
No. 951	Committee on Culture and Arts then to the Committee on Ways and Means	No. 974	Committee on Economic Development, then to the Committee on Ways and Means
No. 952	Committee on Economic Development, then to the Committee on Ways and Means	No. 975	Committee on Ways and Means
No. 953	Committee on Agriculture	No. 976	Committee on Human Resources, then to the Committee on Ways and Means
No. 954	Committee on Agriculture, then to the Committee on Ways and Means	No. 977	Committee on Human Resources
No. 955	Committee on Economic Development, then to the Committee on Ways and Means	No. 978	Committee on Judiciary
No. 956	Committee on Judiciary	No. 979	Committee on Human Resources, then to the Committee on Ways and Means
No. 957	Committee on Ways and Means	No. 980	Committee on Health
No. 958	Committee on Ways and Means	No. 981	Committee on Judiciary
No. 959	Committee on Human Resources	No. 982	Committee on

Government Operations and County Relations, then to the Committee on Ways and Means	No. 1004	Committee on Government Operations and County Relations
No. 983	Committee on Ways and Means	No. 1005
No. 984	Committee on Economic Development	Committee on Economic Development, then to the Committee on Ways and Means
No. 985	Committee on Consumer Protection and Commerce	No. 1006
No. 986	Committee on Hawaiian Programs, then to the Committee on Ways and Means	Committee on Higher Education
No. 987	Committee on Ways and Means	No. 1007
No. 988	Committee on Ways and Means	Committee on Economic Development
No. 989	Committee on Ways and Means	No. 1008
No. 990	Committee on Ways and Means	Committee on Economic Development
No. 991	Committee on Ways and Means	No. 1009
No. 992	Committee on Housing and Urban Development, then to the Committee on Ways and Means	Committee on Legislative Management
No. 993	Committee on Agriculture	No. 1010
No. 994	Committee on Health, then to the Committee on Ways and Means	Committee on Judiciary
No. 995	Committee on Health, then to the Committee on Ways and Means	No. 1011
No. 996	Committee on Judiciary	Committee on Consumer Protection and Commerce
No. 997	Committee on Health, then to the Committee on Judiciary	No. 1012
No. 998	Committee on Human Resources, then to the Committee on Ways and Means	Committee on Housing and Urban Development, then to the Committee on Ways and Means
No. 999	Committee on Ways and Means	No. 1013
No. 1000	Committee on Consumer Protection and Commerce	Committee on Ways and Means
No. 1001	Committee on Consumer Protection and Commerce	No. 1014
No. 1002	Committee on Ways and Means	Committee on Consumer Protection and Commerce
No. 1003	Committee on Consumer Protection and Commerce	No. 1015
		Committee on Consumer Protection and Commerce
		No. 1016
		Committee on Ways and Means
		No. 1017
		Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
		No. 1018
		Committee on Judiciary
		No. 1019
		Committee on Agriculture, then to the Committee on Ways and Means
		No. 1020
		Committee on Human Resources
		No. 1021
		Committee on Ways and Means
		No. 1022
		Committee on Judiciary
		No. 1023
		Committee on Ecology, Environment and Recreation
		No. 1024
		Committee on Government Operations and County Relations
		No. 1025
		Committee on Ways and Means
		No. 1026
		Jointly to the Committee

on Health and the Committee on Agriculture	No. 1049	Committee on Education, then to the Committee on Ways and Means
No. 1027 Committee on Agricul- ture, then to the Committee on Ways and Means	No. 1050	Committee on Education
No. 1028 Committee on Ways and Means	No. 1051	Committee on Education, then to the Committee on Ways and Means
No. 1029 Committee on Economic Development, then to the Committee on Ways and Means	No. 1052	Committee on Human Resources, then to the Committee on Ways and Means
No. 1030 Committee on Tourism	No. 1053	Committee on Education
No. 1031 Committee on Judiciary, then to the Committee on Ways and Means	No. 1054	Committee on Human Resources, then to the Committee on Ways and Means
No. 1032 Committee on Economic Development, then to the Committee on Ways and Means	No. 1055	Committee on Education, then to the Committee on Ways and Means
No. 1033 Committee on Housing and Urban Development	No. 1056	Committee on Judiciary
No. 1034 Committee on Judiciary	No. 1057	Committee on Education
No. 1035 Committee on Tourism, then to the Committee on Ways and Means	No. 1058	Committee on Education, then to the Committee on Ways and Means
No. 1036 Committee on Human Resources	No. 1059	Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Ways and Means
No. 1037 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary	No. 1060	Committee on Economic Development, then to the Committee on Ways and Means
No. 1038 Committee on Judiciary, then to the Committee on Ways and Means	No. 1061	Committee on Economic Development, then to the Committee on Ways and Means
No. 1039 Committee on Judiciary, then to the Committee on Ways and Means	No. 1062	Committee on Economic Development, then to the Committee on Ways and Means
No. 1040 Committee on Consumer Protection and Commerce	No. 1063	Committee on Health
No. 1041 Committee on Ways and Means	No. 1064	Jointly to the Committee on Agriculture and the Committee on Health, then to the Committee on Ways and Means
No. 1042 Committee on Ways and Means	No. 1065	Committee on Consumer Protection and Commerce
No. 1043 Committee on Judiciary	No. 1066	Committee on Consumer Protection and Commerce
No. 1044 Committee on Economic Development	No. 1067	Committee on Judiciary
No. 1045 Committee on Education	No. 1068	Committee on Education, then to the Committee on Judiciary
No. 1046 Committee on Education	No. 1069	Committee on Economic Development
No. 1047 Committee on Education	No. 1070	Committee on Economic
No. 1048 Committee on Education, then to the Committee on Ways and Means		

Development, then to the Committee on Ways and Means	No. 1093	Committee on Judiciary
No. 1071 Committee on Economic Development	No. 1094	Committee on Consumer Protection and Commerce
No. 1072 Committee on Economic Development	No. 1095	Committee on Consumer Protection and Commerce
No. 1073 Committee on Economic Development	No. 1096	Committee on Government Operation and County Relations, then to the Committee on Ways and Means
No. 1074 Committee on Economic Development	No. 1097	Committee on Consumer Protection and Commerce
No. 1075 Committee on Economic Development	No. 1098	Committee on Transportation, then to the Committee on Judiciary
No. 1076 Committee on Economic Development, then to the Committee on Ways and Means	No. 1099	Committee on Judiciary
No. 1077 Committee on Economic Development	No. 1100	Committee on Health, then to the Committee on Judiciary
No. 1078 Committee on Ways and Means	No. 1101	Committee on Judiciary
No. 1079 Committee on Economic Development, then to the Committee on Ways and Means	No. 1102	Committee on Judiciary
No. 1080 Committee on Economic Development	No. 1103	Committee on Ecology, Environment and Recreation
No. 1081 Committee on Housing and Urban Development	No. 1104	Committee on Judiciary, then to the Committee on Ways and Means
No. 1082 Committee on Economic Development	No. 1105	Committee on Transportation
No. 1083 Committee on Economic Development	No. 1106	Committee on Consumer Protection and Commerce
No. 1084 Committee on Economic Development	No. 1107	Committee on Consumer Protection and Commerce
No. 1085 Committee on Economic Development, then to the Committee on Ways and Means	No. 1108	Committee on Transportation
No. 1086 Committee on Judiciary	No. 1109	Committee on Judiciary
No. 1087 Committee on Consumer Protection and Commerce	No. 1110	Committee on Higher Education, then to the Committee on Ways and Means
No. 1088 Committee on Judiciary	No. 1111	Committee on Higher Education, then to the Committee on Ways and Means
No. 1089 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means	No. 1112	Committee on Tourism, then to the Committee on Ways and Means
No. 1090 Committee on Human Resources, then to the Committee on Judiciary	No. 1113	Committee on Judiciary
No. 1091 Committee on Judiciary	No. 1114	Committee on Human Resources
No. 1092 Committee on Judiciary	No. 1115	Committee on Human Resources, then to the Committee on Ways and Means

No. 1116	Committee on Human Resources	then to the Committee on Ways and Means
No. 1117	Committee on Human Resources	No. 1138 Committee on Education, then to the Committee on Ways and Means
No. 1118	Committee on Human Resources, then to the Committee on Ways and Means	No. 1139 Committee on Ways and Means
No. 1119	Committee on Human Resources, then to the Committee on Ways and Means	No. 1140 Committee on Judiciary
No. 1120	Committee on Human Resources, then to the Committee on Ways and Means	No. 1141 Committee on Ways and Means
No. 1121	Committee on Human Resources	No. 1142 Committee on Judiciary
No. 1122	Committee on Education, then to the Committee on Ways and Means	No. 1143 Committee on Judiciary
No. 1123	Committee on Human Resources, then to the Committee on Ways and Means	No. 1144 Committee on Judiciary
No. 1124	Committee on Human Resources	No. 1145 Committee on Judiciary
No. 1125	Committee on Human Resources	No. 1146 Committee on Youth and Elderly Affairs
No. 1126	Committee on Human Resources	No. 1147 Committee on Consumer Protection and Commerce
No. 1127	Committee on Human Resources	No. 1148 Committee on Judiciary
No. 1128	Committee on Human Resources	No. 1149 Committee on Judiciary
No. 1129	Committee on Human Resources	No. 1150 Committee on Human Resources
No. 1130	Committee on Human Resources	No. 1151 Committee on Judiciary
No. 1131	Committee on Human Resources	No. 1152 Committee on Judiciary
No. 1132	Committee on Human Resources	No. 1153 Committee on Judiciary
No. 1133	Committee on Human Resources	No. 1154 Committee on Judiciary
No. 1134	Committee on Human Resources	No. 1155 Committee on Judiciary
No. 1135	Committee on Human Resources, then to the Committee on Ways and Means	No. 1156 Committee on Transportation, then to the Committee on Judiciary.
No. 1136	Committee on Legislative Management, then to the Committee on Ways and Means	No. 1157 Committee on Judiciary
No. 1137	Committee on Education,	No. 1158 Committee on Judiciary, then to the Committee on Ways and Means
		No. 1159 Committee on Judiciary, then to the Committee on Ways and Means
		No. 1160 Committee on Judiciary
		No. 1161 Committee on Judiciary
		No. 1162 Committee on Health
		No. 1163 Committee on Judiciary
		No. 1164 Committee on Consumer Protection and Commerce

No. 1165	Committee on Government Operations and County Relations, then to the Committee on Ways and Means	No. 1186	Committee on Judiciary
No. 1166	Committee on Judiciary	No. 1187	Committee on Judiciary
No. 1167	Committee on Judiciary	No. 1188	Committee on Transportation
No. 1168	Committee on Judiciary	No. 1189	Committee on Agriculture, then to the Committee on Ways and Means
No. 1169	Committee on Government Operations and County Relations	No. 1190	Committee on Judiciary, then to the Committee on Ways and Means
No. 1170	Committee on Economic Development, then to the Committee on Ways and Means	No. 1191	Committee on Judiciary
No. 1171	Committee on Judiciary	No. 1192	Committee on Judiciary, then to the Committee on Ways and Means
No. 1172	Committee on Judiciary	No. 1193	Committee on Judiciary
No. 1173	Committee on Government Operations and County Relations, then to the Committee on Ways and Means	No. 1194	Committee on Judiciary
No. 1174	Committee on Government Operations and County Relations, then to the Committee on Ways and Means	No. 1195	Committee on Judiciary
No. 1175	Committee on Government Operations and County Relations, then to the Committee on Ways and Means	No. 1196	Committee on Government Operations and County Relations, then to the Committee on Ways and Means
No. 1176	Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means	No. 1197	Committee on Judiciary
No. 1177	Committee on Economic Development, then to the Committee on Ways and Means	No. 1198	Committee on Judiciary, then to the Committee on Ways and Means
No. 1178	Committee on Economic Development, then to the Committee on Ways and Means	No. 1199	Committee on Judiciary
No. 1179	Committee on Health, then to the Committee on Ways and Means	No. 1200	Committee on Government Operations and County Relations, then to the Committee on Ways and Means
No. 1180	Committee on Consumer Protection and Commerce	No. 1201	Committee on Judiciary
No. 1181	Committee on Judiciary, then to the Committee on Ways and Means	No. 1202	Committee on Judiciary
No. 1182	Committee on Judiciary	No. 1203	Committee on Judiciary
No. 1183	Committee on Judiciary	No. 1204	Committee on Judiciary
No. 1184	Committee on Judiciary	No. 1205	Committee on Judiciary
No. 1185	Committee on Education, then to the Committee on Ways and Means	No. 1206	Committee on Judiciary
		No. 1207	Committee on Judiciary
		No. 1208	Committee on Judiciary
		No. 1209	Committee on Judiciary
		No. 1210	Committee on Judiciary
		No. 1211	Committee on Government Operations and County Relations, then to the Committee on Judiciary
		No. 1212	Committee on Judiciary

No. 1213	Committee on Judiciary	No. 1239	Committee on Judiciary
No. 1214	Committee on Judiciary	No. 1240	Committee on Economic Development
No. 1215	Committee on Judiciary	No. 1241	Committee on Ways and Means
No. 1216	Committee on Judiciary, then to the Committee on Ways and Means	No. 1242	Committee on Judiciary
No. 1217	Committee on Judiciary, then to the Committee on Ways and Means	No. 1243	Committee on Ways and Means
No. 1218	Committee on Judiciary	No. 1244	Committee on Economic Development
No. 1219	Committee on Judiciary	No. 1245	Committee on Health, then to the Committee on Ways and Means
No. 1220	Committee on Judiciary	No. 1246	Committee on Ways and Means
No. 1221	Committee on Judiciary	No. 1247	Committee on Transportation
No. 1222	Committee on Judiciary, then to the Committee on Ways and Means	No. 1248	Committee on Consumer Protection and Commerce.
No. 1223	Committee on Judiciary	No. 1249	Committee on Ways and Means
No. 1224	Committee on Judiciary	No. 1250	Committee on Consumer Protection and Commerce
No. 1225	Committee on Judiciary	No. 1251	Committee on Ways and Means
No. 1226	Committee on Judiciary	No. 1252	Committee on Ways and Means
No. 1227	Committee on Judiciary	No. 1253	Committee on Higher Education, then to the Committee on Ways and Means
No. 1228	Committee on Judiciary	No. 1254	Committee on Higher Education
No. 1229	Committee on Judiciary	No. 1255	Committee on Higher Education, then to the Committee on Ways and Means
No. 1230	Committee on Judiciary	No. 1256	Committee on Higher Education, then to the Committee on Ways and Means
No. 1231	Committee on Judiciary, then to the Committee on Ways and Means	No. 1257	Committee on Higher Education, then to the Committee on Ways and Means
No. 1232	Committee on Youth and Elderly Affairs, then to the Committee on Ways and Means	No. 1258	Committee on Higher Education
No. 1233	Committee on Housing and Urban Development	No. 1259	Committee on Higher Education, then to the Committee on Ways and Means
No. 1234	Committee on Economic Development	No. 1260	Committee on Hawaiian Programs
No. 1235	Committee on Consumer Protection and Commerce	No. 1261	Jointly to the Committee
No. 1236	Committee on Judiciary, then to the Committee on Ways and Means		
No. 1237	Committee on Transportation, then to the Committee on Ways and Means		
No. 1238	Committee on Judiciary, then to the Committee on Ways and Means		

- on Higher Education and the Committee on Hawaiian Programs, then to the Committee on Ways and Means
- No. 1262 Committee on Ecology, Environment and Recreation
- No. 1263 Committee on Hawaiian Programs, then to the Committee on Ways and Means
- No. 1264 Committee on Judiciary
- No. 1265 Committee on Human Resources
- No. 1266 Committee on Health, then to the Committee on Ways and Means
- No. 1267 Committee on Culture and Arts, then to the Committee on Ways and Means
- No. 1268 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1269 Committee on Ways and Means
- No. 1270 Committee on Education
- No. 1271 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1272 Committee on Culture and Arts, then to the Committee on Ways and Means
- No. 1273 Committee on Government Operations and County Relations, then to the Committee on Ways and Means
- No. 1274 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1275 Committee on Ways and Means
- No. 1276 Committee on Government Operations and County Relations
- No. 1277 Committee on Judiciary, then to the Committee on Ways and Means
- No. 1278 Committee on Hawaiian Programs
- No. 1279 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1280 Committee on Ecology, Environment and Recreation
- No. 1281 Committee on Ecology, Environment and Recreation, then to the Committee on Consumer Protection and Commerce
- No. 1282 Committee on Health, then to the Committee on Judiciary
- No. 1283 Committee on Government Operations and County Relations
- No. 1284 Committee on Government Operations and County Relations, then to the Committee on Ways and Means
- No. 1285 Committee on Ecology, Environment and Recreation
- No. 1286 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1287 Committee on Consumer Protection and Commerce
- No. 1288 Committee on Consumer Protection and Commerce
- No. 1289 Committee on Human Resources
- No. 1290 Committee on Human Resources
- No. 1291 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1292 Committee on Judiciary, then to the Committee on Ways and Means
- No. 1293 Committee on Ways and Means
- No. 1294 Committee on Ways and Means
- No. 1295 Committee on Consumer Protection and Commerce
- No. 1296 Committee on Culture and Arts, then to the Committee on Ways and Means
- No. 1297 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1298 Committee on Hawaiian Programs, then to the Committee on Ways and Means
- No. 1299 Committee on Judiciary, then to the Committee on Ways and Means
- No. 1300 Committee on Consumer Protection and Commerce, then to

- the Committee on Ways and Means
- No. 1301 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1302 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 1303 Committee on Culture and Arts, then to the Committee on Ways and Means
- No. 1304 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1305 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1306 Committee on Education, then to the Committee on Ways and Means
- No. 1307 Committee on Federal Programs, then to the Committee on Ways and Means
- No. 1308 Committee on Government Operations and County Relations, then to the Committee on Ways and Means
- No. 1309 Committee on Hawaiian Programs, then to the Committee on Ways and Means
- No. 1310 Committee on Health, then to the Committee on Ways and Means
- No. 1311 Committee on Higher Education, then to the Committee on Ways and Means
- No. 1312 Committee on Housing and Urban Development, then to the Committee on Ways and Means
- No. 1313 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1314 Committee on Judiciary, then to the Committee on Ways and Means
- No. 1315 Committee on Legislative Management, then to the Committee on Ways and Means
- No. 1316 Committee on Tourism, then to the Committee on Ways and Means
- No. 1317 Committee on Transportation, then to the Committee on Ways and Means
- No. 1318 Committee on Youth and Elderly Affairs, then to the Committee on Ways and Means
- No. 1319 Committee on Housing and Urban Development, then to the Committee on Ways and Means
- No. 1320 Committee on Consumer Protection and Commerce
- No. 1321 Committee on Agriculture
- No. 1322 Committee on Agriculture
- No. 1323 Committee on Agriculture
- No. 1324 Committee on Agriculture
- No. 1325 Committee on Agriculture
- No. 1326 Committee on Agriculture
- No. 1327 Committee on Agriculture
- No. 1328 Committee on Agriculture
- No. 1329 Committee on Agriculture
- No. 1330 Committee on Agriculture
- No. 1331 Committee on Agriculture
- No. 1332 Committee on Agriculture
- No. 1333 Committee on Agriculture
- No. 1334 Committee on Agriculture
- No. 1335 Committee on Consumer Protection and Commerce
- No. 1336 Committee on Consumer Protection and Commerce
- No. 1337 Committee on Consumer Protection and Commerce
- No. 1338 Committee on Consumer Protection and Commerce
- No. 1339 Committee on Consumer Protection and Commerce
- No. 1340 Committee on Consumer Protection and Commerce

No. 1341	Committee on Consumer Protection and Commerce	No. 1365	Committee on Economic Development
No. 1342	Committee on Consumer Protection and Commerce	No. 1366	Committee on Economic Development
No. 1343	Committee on Culture and Arts	No. 1367	Committee on Economic Development
No. 1344	Committee on Culture and Arts	No. 1368	Committee on Economic Development
No. 1345	Committee on Culture and Arts	No. 1369	Committee on Economic Development
No. 1346	Committee on Culture and Arts	No. 1370	Committee on Education
No. 1347	Committee on Ecology, Environment and Recreation	No. 1371	Committee on Education
No. 1348	Committee on Ecology, Environment and Recreation	No. 1372	Committee on Education
No. 1349	Committee on Ecology, Environment and Recreation	No. 1373	Committee on Education
No. 1350	Committee on Ecology, Environment and Recreation	No. 1374	Committee on Education
No. 1351	Committee on Ecology, Environment and Recreation	No. 1375	Committee on Education
No. 1352	Committee on Ecology, Environment and Recreation	No. 1376	Committee on Education
No. 1353	Committee on Economic Development	No. 1377	Committee on Education
No. 1354	Committee on Economic Development	No. 1378	Committee on Education
No. 1355	Committee on Economic Development	No. 1379	Committee on Education
No. 1356	Committee on Economic Development	No. 1380	Committee on Education
No. 1357	Committee on Economic Development	No. 1381	Committee on Education
No. 1358	Committee on Economic Development	No. 1382	Committee on Education
No. 1359	Committee on Economic Development	No. 1383	Committee on Education
No. 1360	Committee on Economic Development	No. 1384	Committee on Education
No. 1361	Committee on Economic Development	No. 1385	Committee on Education
No. 1362	Committee on Economic Development	No. 1386	Committee on Education
No. 1363	Committee on Economic Development	No. 1387	Committee on Education
No. 1364	Committee on Economic Development	No. 1388	Committee on Education
		No. 1389	Committee on Education
		No. 1390	Committee on Education
		No. 1391	Committee on Education
		No. 1392	Committee on Education
		No. 1393	Committee on Education
		No. 1394	Committee on Education
		No. 1395	Committee on Education
		No. 1396	Committee on Education
		No. 1397	Committee on Education

No. 1398 Programs	Committee on Federal	No. 1422 Resources	Committee on Human
No. 1399 Programs	Committee on Federal	No. 1423 Resources	Committee on Human
No. 1400 Programs	Committee on Hawaiian	No. 1424 Resources	Committee on Human
No. 1401 Programs	Committee on Hawaiian	No. 1425 Resources	Committee on Human
No. 1402 Programs	Committee on Hawaiian	No. 1426 Resources	Committee on Human
No. 1403 Programs	Committee on Hawaiian	No. 1427 Resources	Committee on Human
No. 1404 Programs	Committee on Hawaiian	No. 1428 Resources	Committee on Human
No. 1405	Committee on Health	No. 1429 Resources	Committee on Human
No. 1406 Education	Committee on Higher	No. 1430 Resources	Committee on Human
No. 1407 Education	Committee on Higher	No. 1431 Resources	Committee on Human
No. 1408 Education	Committee on Higher	No. 1432 Resources	Committee on Human
No. 1409 Education	Committee on Higher	No. 1433 Resources	Committee on Human
No. 1410 Education	Committee on Higher	No. 1434 Resources	Committee on Human
No. 1411 Education	Committee on Higher	No. 1435	Committee on Judiciary
No. 1412 Education	Committee on Higher	No. 1436	Committee on Judiciary
No. 1413 Education	Committee on Higher	No. 1437	Committee on Judiciary
No. 1414 Education	Committee on Higher	No. 1438	Committee on Judiciary
No. 1415 and Urban Development	Committee on Housing	No. 1439	Committee on Judiciary
No. 1416 and Urban Development	Committee on Housing	No. 1440	Committee on Judiciary
No. 1417 and Urban Development	Committee on Housing	No. 1441	Committee on Judiciary
No. 1418 and Urban Development	Committee on Housing	No. 1442	Committee on Judiciary
No. 1419 and Urban Development	Committee on Housing	No. 1443	Committee on Judiciary
No. 1420 and Urban Development	Committee on Housing	No. 1444	Committee on Judiciary
No. 1421 Resources	Committee on Human	No. 1445	Committee on Judiciary
		No. 1446	Committee on Judiciary
		No. 1447	Committee on Judiciary
		No. 1448	Committee on Judiciary
		No. 1449	Committee on Judiciary
		No. 1450	Committee on Judiciary

No. 1451	Committee on Judiciary	No. 1476 Means	Committee on Ways and
No. 1452	Committee on Judiciary		
No. 1453	Committee on Legislative Management	No. 1477 Means	Committee on Ways and
No. 1454	Committee on Tourism	No. 1478 Means	Committee on Ways and
No. 1455	Committee on Tourism	No. 1479 Means	Committee on Ways and
No. 1456	Committee on Transpor- tation	No. 1480 Means	Committee on Ways and
No. 1457	Committee on Transpor- tation	No. 1481 Means	Committee on Ways and
No. 1458	Committee on Transpor- tation	No. 1482 Means	Committee on Ways and
No. 1459	Committee on Transpor- tation	No. 1483 Means	Committee on Ways and
No. 1460	Committee on Transpor- tation	No. 1484 Means	Committee on Ways and
No. 1461	Committee on Ways and Means	No. 1485 Means	Committee on Ways and
No. 1462	Committee on Ways and Means	No. 1486 Means	Committee on Ways and
No. 1463	Committee on Ways and Means	No. 1487	Committee on Youth and Elderly Affairs
No. 1464	Committee on Ways and Means	No. 1488	Committee on Youth and Elderly Affairs
No. 1465	Committee on Ways and Means	No. 1489	Committee on Youth and Elderly Affairs
No. 1466	Committee on Ways and Means	No. 1490	Committee on Youth and Elderly Affairs
No. 1467	Committee on Ways and Means	No. 1491	Committee on Youth and Elderly Affairs
No. 1468	Committee on Ways and Means		
No. 1469	Committee on Ways and Means		
No. 1470	Committee on Ways and Means		
No. 1471	Committee on Ways and Means		
No. 1472	Committee on Ways and Means		
No. 1473	Committee on Ways and Means		
No. 1474	Committee on Ways and Means		
No. 1475	Committee on Ways and Means		

RE-REFERRAL OF
SENATE BILLS

The President made the following re-referral of bills that were introduced on the respective dates:

Wednesday, February 2, 1983

Senate Bill Referred to:

No. 368 Committee on Education, then to the Committee on Transportation, then to the Committee on Ways and Means

Friday, February 11, 1983

Senate Bills Referred to:

No. 615 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Hawaiian

Programs

No. 671 Committee on Education, then to the Committee on Transportation, then to the Committee on Ways and Means

Monday, February 14, 1983

Senate Bills Referred to:

No. 675 Jointly to the Committee on Housing and Urban Development and the Committee on Government Operations and County Relations, then to the Committee on Ways and Means

No. 741 Committee on Government Operations and County Relations, then to the Committee on Transportation

No. 742 Committee on Government Operations and County Relations, then to the Committee on Transportation

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:46 o'clock a.m.

At this time, Senator Kuroda, Chairman of the Committee on Tourism, requested a waiver of the 48-hour notice of a Public Hearing on the following measures:

S.B. No. 271, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII VISITORS BUREAU." and

S.R. No. 27, entitled: "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY FOR THE

CONSTRUCTION OF A CONVENTION CENTER ON OAHU."

and the President granted the waiver.

The President then stated:

"The Chair would like to make an announcement to inform the Senators that I have been in contact with the HonFed people, specifically Mr. Borthwick, himself. He has informed me as of this morning that the depositors that withdrew their money on Tuesday are beginning to come back to HonFed. I thought you ought to know about this restoration of public confidence in the company."

Senator Cobb then rose and stated:

"Mr. President, in response to that, I was on television yesterday and I have been in touch with the Federal Reserve Board in Seattle, Washington. The entire run was based on a rumor, which was totally unfounded, and to date, no one has lost a single penny in a federally insured account since the FDIC and its predecessor was created in 1933. And I think that the rumor, vicious as it was, and as unfounded as it was, was totally uncalled for and I see no reason at all for any kind of panic or sense of alarm. The Federal Reserve Board has assured me that HonFed is in sound condition. It's not only the largest, but that they're not even approaching the problem of debt to equity ratio."

ADJOURNMENT

At 11:50 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 18, 1983.

TWENTY-THIRD DAY

Friday, February 18, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Colin Correa, Pastor of St. Theresa's Church, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Twenty-Second Day.

At this time, the following introductions were made to the members of the Senate:

Senator Fernandes Salling introduced a group of students from Kauai, Waimea and Kapaa High Schools, who are participating in the Kauai Student Legislative Experience program, and who were accompanied by a District Educational Specialist, Ms. Shirley Akita, and their teachers, Mrs. Awa and Mr. Allen Yamada.

Senator Kuroda then introduced a former Ewa Beach resident, currently residing in Ensenada, California, Mr. Phil Sweeney.

At 11:49 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 82 to 151) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 82) submitting for consideration and confirmation to the Advisory Committee on Pesticides, the nominations of Katsumi Higa, Barry Brennan, Ph.D., and Mark D. Merlin, Ph.D., terms to expire December 31, 1986, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 83) submitting for consideration and confirmation to the Board of Public Accountancy, the nomination of Phyllis N. T. Shea, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 84) submitting for consideration and confirmation to the Board of Acupuncture, the nomination of Mabel C. S. Chang, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 85) submitting for consideration and confirmation to the Boxing Commission, the nomination of Robert M. Lee, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 86) submitting for consideration and confirmation to the Contractors License Board, the nominations of Harry M. Ushijima and Alan G. Meyers, Sr., terms to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 87) submitting for consideration and confirmation to the Board of Electricians and Plumbers, the nomination of George K. Hall, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 88) submitting for consideration and confirmation to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, the nomination of Walter K. Tagawa, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 89) submitting for consideration and confirmation to the Board of Hearing Aid Dealers and Fitters, the nomination of Robert H. McKay, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 90) submitting for consideration and confirmation to the Board of Massage, the nomination of Edson Hoo, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov.

Msg. No. 91) submitting for consideration and confirmation to the Board of Medical Examiners, the nomination of Samuel Haraguchi, M.D., term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 92) submitting for consideration and confirmation to the State Board of Nursing, the nomination of Claire R. Alfiler, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 93) submitting for consideration and confirmation to the Board of Dispensing Opticians, the nomination of Virginia S. K. Kam, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 94) submitting for consideration and confirmation to the Board of Pharmacy, the nomination of James E. DeMello, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 95) submitting for consideration and confirmation to the Board of Certification for Practicing Psychologists, the nomination of Craig Robinson, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 96) submitting for consideration and confirmation to the Real Estate Commission, the nomination of George A. Morris, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 97) submitting for consideration and confirmation to the Board of Speech Pathology and Audiology, the nomination of Dennis T. Sekine, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 98) submitting for consideration and confirmation to the Board of Speech Pathology and Audiology, the nomination of Sandra Kay Harada, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 99) submitting for consideration and confirmation to the Board of Veterinary Examiners, the nomination of John B. Belfrage, D.V.M., term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 100) submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nominations of Thelma Black, Edward Naihe, Sr., Elizabeth Flateau, and Candace K. Lee, terms to expire December 31, 1986, was referred to the Committee on Culture and Arts.

A message from the Governor (Gov. Msg. No. 101) submitting for consideration and confirmation to the Board of Public Broadcasting, the nomination of Ann B. Simpson, term to expire December 31, 1988, was referred to the Committee on Culture and Arts.

A message from the Governor (Gov. Msg. No. 102) submitting for consideration and confirmation to the 1984 Hawaii Statehood Silver Jubilee Committee, the nomination of Yukie Ueoka, term to expire June 30, 1986, was referred to the Committee on Culture and Arts.

A message from the Governor (Gov. Msg. No. 103) submitting for consideration and confirmation as the Director of Environmental Quality Control, the nomination of Jacqueline Parnell, term to expire December 1, 1986, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 104) submitting for consideration and confirmation to the Aquatic Life and Wildlife Advisory Committee, City and County of Honolulu, the nominations of Bert Akio Kobayashi and Irwin K. Kawano, terms to expire December 31, 1986, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 105) submitting for consideration and confirmation to the Aquatic Life and Wildlife Advisory Committee, County of Hawaii, the nomination of James B. Watt, term to expire December 31, 1986, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 106) submitting for consideration and confirmation to the Aquatic Life and Wildlife Advisory Committee, County of Maui, the nomination

of John Brooks, II, term to expire December 31, 1986, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 107) submitting for consideration and confirmation to the Aquatic Life and Wildlife Advisory Committee, County of Kauai, the nominations of Bob A. Hee and Michael V. Layosa, Sr., terms to expire December 31, 1986, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 108) submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nominations of Charles M. Saiki, Frank G. Stone, Jr., Reginald Young, D.Sc., and Dennis Tulang, terms to expire December 31, 1986, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 109) submitting for consideration and confirmation to the Board of Planning and Economic Development, the nomination of Carl H. Okuyama, term to expire December 31, 1984, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 110) submitting for consideration and confirmation to the Board of Directors, Aloha Tower Development Corporation, the nomination of Donald M. Kuyper, term to expire December 31, 1986, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 111) submitting for consideration and confirmation to the Hawaii Fisheries Coordinating Council, the nominations of Asahi Okamoto and Frank Goto, terms to expire December 31, 1986, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 112) submitting for consideration and confirmation to the Land Use Commission, the nomination of William W. L. Yuen, term to expire December 31, 1986, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 113) submitting for consideration and confirmation to the Hawaii Education Council, the nomination of Ramona H. Hao, term to expire December 31, 1986, was referred to

the Committee on Education.

A message from the Governor (Gov. Msg. No. 114) submitting for consideration and confirmation to the Library Advisory Commission, County of Hawaii, the nominations of Grace Kekaulike Basque and Katherine S. Hanley, terms to expire December 31, 1986, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 115) submitting for consideration and confirmation to the Civil Defense Advisory Council, the nomination of Robert H. Ishimoto, term to expire December 31, 1986, was referred to the Committee on Federal Relations.

A message from the Governor (Gov. Msg. No. 116) submitting for consideration and confirmation as the Administrator, State Health Planning and Development Agency, the nomination of Henry N. Thompson, term to expire December 1, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 117) submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities, the nomination of Joyce Kimi Horikawa, term to expire December 31, 1985, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 118) submitting for consideration and confirmation to the Commission on the Handicapped, the nominations of Georgia E. Morikawa, Jeffrey David Nunn and Judith Doktor, terms to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 119) submitting for consideration and confirmation to the State Emergency Medical Services Advisory Committee, the nominations of William Blanchard and Barbara K. Ideta, terms to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 120) submitting for consideration and confirmation to the Advisory Commission on Drug Abuse and Controlled Substances, the nominations of James Miyahara, Ph.D. and Junedale U. Hashimoto, terms to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 121) submitting for

consideration and confirmation to the East Honolulu Subarea Health Planning Council, the nominations of Vernon Y. N. Chock and Yoshi T. Koga, terms to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 122) submitting for consideration and confirmation to the East Honolulu Subarea Health Planning Council, the nomination of William R. Flanders, term to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 123) submitting for consideration and confirmation to the West Honolulu Subarea Health Planning Council, the nomination of Donna C. Kekumu, term to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 124) submitting for consideration and confirmation to the Central Oahu Subarea Health Planning Council, the nomination of Wallace T. Hirai, term to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 125) submitting for consideration and confirmation to the Windward Oahu Subarea Health Planning Council, the nomination of June I. Takenaka, term to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 126) submitting for consideration and confirmation to the Hawaii County Subarea Health Planning Council, the nominations of Reynold Mishina and Beverly Jean Withington, terms to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 127) submitting for consideration and confirmation to the Maui County Subarea Health Planning Council, the nomination of Corazon E. Masicampo, term to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 128) submitting for consideration and confirmation to the Kauai County Subarea Health Planning Council, the nominations of Hilda H. Inouye and John English, terms to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 129) submitting for consideration and confirmation to the County Hospital Management Advisory Committee, City and County of Honolulu Hospital System, the nomination of Rachael S. Chang, term to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 130) submitting for consideration and confirmation to the County Hospital Management Advisory Committee, Hawaii County Hospital System, the nomination of Charles H. Hustace, Jr., term to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 131) submitting for consideration and confirmation to the County Hospital Management Advisory Committee, Maui County Hospital System, the nomination of Lyman M. Morikawa, term to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 132) submitting for consideration and confirmation to the Board of Regents, University of Hawaii, the nominations of the following:

Walter R. Steiger, term to expire December 31, 1984;

Stanley Mukai, term to expire December 31, 1986; and

Stephen Bess, term to expire December 31, 1986,

was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 133) submitting for consideration and confirmation to the Board of Directors, Research Corporation, University of Hawaii, the nomination of J. W. A. Buyers, term to expire December 31, 1986, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 134) submitting for consideration and confirmation to the Hawaii Housing Authority, the nominations of the following:

John P. Spierling, term to expire December 31, 1983; and

George G. Costa, Jr., term to expire December 31, 1984,

was referred to the Committee on Housing and Urban Development.

A message from the Governor (Gov. Msg. No. 135) submitting for consideration and confirmation to the Hawaii Community Development Authority, the nomination of Thomas M. Itagaki, term to expire December 31, 1986, was referred to the Committee on Housing and Urban Development.

A message from the Governor (Gov. Msg. No. 136) submitting for consideration and confirmation to the Board of Social Services and Housing, the nomination of William K. Pacatang, term to expire December 31, 1986, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 137) submitting for consideration and confirmation to the Civil Service Commission, the nomination of Richard S. Dumancas, term to expire December 31, 1986, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 138) submitting for consideration and confirmation to the Hawaii Employment Relations Board, the nomination of Odetta Fujimori, term to expire December 31, 1986, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 139) submitting for consideration and confirmation to the Board of Trustees, Hawaii Public Employees Health Fund, the nomination of James Brown, term to expire December 31, 1986, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 140) submitting for consideration and confirmation to the Advisory Commission on Manpower and Full Employment, the nominations of Iris T. Fukui and Michael C. K. Wong, terms to expire June 30, 1986, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 141) submitting for consideration and confirmation to the Hawaii Paroling Authority, the nomination of Kayo R. Chung, term to expire December 31, 1986, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 142) submitting for consideration and confirmation to the Juvenile Justice Interagency Board, the nomination of Boyd Mossman, term to expire December 31, 1986, was referred to the Committee on Judiciary.

A message from the Governor (Gov.

Msg. No. 143) submitting for consideration and confirmation to the Commission on the Status of Women, the nominations of Judy T. Makinodan and Ruth Fujimoto, terms to expire December 31, 1986, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 144) submitting for consideration and confirmation to the Board of Registration, Island of Oahu, the nomination of Shota Sakai, term to expire December 31, 1986, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 145) submitting for consideration and confirmation to the Board of Registration, Kauai and Niihau, the nomination of Yuriko N. Tasaka, term to expire December 31, 1986, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 146) submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, the nomination of James A. King, term to expire December 31, 1986, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 147) submitting for consideration and confirmation to the Commission on Transportation, the nomination of Kenneth I. Craw, term to expire December 31, 1986, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 148) submitting for consideration and confirmation to the Advisory Council for Children and Youth, the nominations of the following:

Bruce Fujimoto, term to expire December 31, 1983; and

Vince G. Bagoyo, Jr., term to expire December 31, 1986,

was referred to the Committee on Youth and Elderly Affairs.

A message from the Governor (Gov. Msg. No. 149) submitting for consideration and confirmation to the Advisory Council for Children and Youth, the nomination of Conrad Hokama, term to expire December 31, 1986, was referred to the Committee on Youth and Elderly Affairs.

A message from the Governor (Gov. Msg. No. 150) submitting for consideration and confirmation to the Progressive Neighborhoods Task Force,

the nominations of Isadora Tai and Erasmus Patacsil, terms to expire December 31, 1986, was referred to the Committee on Youth and Elderly Affairs.

A message from the Governor (Gov. Msg. No. 151) transmitting a report prepared by the Energy Division of the Department of Planning and Economic Development (February 1983), in response to House Resolution No. 143, requesting the Department of Planning and Economic Development to devise a strategy for overseeing the effects of geothermal development on the residents of Puna District, was referred to the Committee on Economic Development.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 18 to 20), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 18) transmitting House Bill No. 272, H.D. 1, which passed Third Reading in the House of Representatives on February 17, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 272, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT," passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 19) transmitting House Bill No. 278, H.D. 1, which passed Third Reading in the House of Representatives on February 17, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 278, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 20) returning Senate Concurrent Resolution No. 22, which was adopted by the House of Representatives on February 17, 1983, was placed on file.

SENATE RESOLUTION

A resolution (S.R. No. 34),

entitled: "SENATE RESOLUTION REQUESTING THE SAND ISLAND STATE PARK BE RENAMED 'HAWAII VETERANS MEMORIAL STATE PARK'," was offered by Senators Cobb, Hagino, Kuroda, Chang, Young, Yamasaki, Henderson, Soares, Uwaine and B. Kobayashi, and was read by the Clerk.

By unanimous consent, S.R. No. 34 was referred to the Committee on Ecology, Environment and Recreation.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 20) informing the Senate that Governor's Message Nos. 82 to 151, Senate Resolution No. 34 and Standing Committee Report No. 21 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 21) recommending that Senate Bill No. 48, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 48, entitled: "A BILL FOR AN ACT RELATING TO THEFT," passed Second Reading and was referred to the Committee on Judiciary.

ORDER OF THE DAY

RE-REFERRAL OF SENATE RESOLUTION

The President made the following re-referral of a resolution offered on Tuesday, February 15, 1983:

Senate Resolution Referred to:

No. 28 Committee on Government Operations and County Relations, then to the Committee on Human Resources

RE-REFERRAL OF SENATE BILLS

The President then made the following re-referral of bills that were

introduced on the respective dates:

Tuesday, February 8, 1983

Senate Bill Referred to:

No. 468 Committee on Housing and Urban Development, then to the Committee on Ways and Means

Wednesday, February 9, 1983

Senate Bill Referred to:

No. 500 Committee on Economic Development, then to the Committee on Ways and Means

Friday, February 11, 1983

Senate Bill Referred to:

No. 609 Committee on Government Operations and County Relations

Tuesday, February 15, 1983

Senate Bill Referred to:

No. 837 Committee on Transportation, then to the Committee on Ways and Means

No. 847 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Hawaiian Programs, then to the Committee on Ways and Means

No. 973 Committee on Government Operations and County Relations

No. 1369 Committee on Education

No. 1419 Committee on Consumer

Protection and Commerce

MISCELLANEOUS COMMUNICATION

A communication from the Department of Civil Service, City and County of Honolulu (Misc. Com. No. 5), regarding the Report of Positions Assigned to SC Salary Ranges, City and County of Honolulu, submitted in accordance with the provisions of Section 77-13 (d), HRS, was read by the Clerk and was placed on file.

At 11:56 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 o'clock noon.

At this time the President stated:

"Before we adjourn to go into the recess, I want to make a reminder to all Senators. I know there will be several Senators travelling back to the neighbor islands to discuss various matters with their constituencies, and be having public hearings there.

"I would like to make sure that all of you can come back into the capitol building at least one or two days during the recess so that you will be available to answer any questions the general public might have with reference to the various bills which have been introduced."

ADJOURNMENT

At 12:10 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., on Tuesday, March 1, 1983.

TWENTY-FOURTH DAY

Tuesday, March 1, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Anthony B. Robinson, Pastor of the Church of the Crossroads, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Twenty-Third Day.

At this time, the following introductions were made to the members of the Senate:

Senator Young introduced 40 fifth grade students from Kaimiloa Elementary School in Ewa Beach, accompanied by their teachers, Mrs. Yamada and Mrs. Miller.

Senator Cobb then introduced 56 fifth grade students from Kahala Elementary School, accompanied by their teachers, Ms. Sharon Inamine and Ms. Carol Miyahara.

Senator Holt then introduced 56 fifth grade students from Maemae School, including Senate President Wong's youngest daughter, Christine; accompanied by their teachers, Mrs. Mugiishi and Miss Nakasone, and parents, Mrs. Kadoyama and Mrs. Yano.

Senator Kuroda then introduced the Government Affairs Director of the Miller Brewery, Mrs. Sunny Jones.

Senator Kuroda then stated:

"Mr. President, members of the Senate, with us on the floor today we have Mr. and Mrs. Thomas Boyle from San Bernardino, California. Mr. Boyle is the Western Regional Director for Little League Baseball.

"Hawaii Little League Baseball considers Mr. Boyle as an unofficial goodwill ambassador for Hawaii. He has hosted Hawaii Little League champions at San Bernardino for many years and he has also sponsored several Little League Baseball umpire clinics in Hawaii. He has also been to Hawaii as a judge of the Miss Hawaii USA pageant.

"Mr. President, at this time I would like to introduce Mr. and Mrs.

Thomas Boyle of San Bernardino, California."

Senator Cayetano then rose and stated:

"Mr. President, the honoree that I'm going to introduce today needs no introduction. Before introducing him, however, let me make a few remarks.

"Four years ago, Mr. President, the honoree's name was before this Senate for the Senate's advice and consent on his nomination as Director of the Department of Planning and Economic Development.

"As a freshman Senator at that time, with the information available to me, I was prepared to vote against his nomination. Four years have passed and I've had the opportunity to know him as a human being, as a friend, and as one of the state's more capable directors, and in particular, his work as the Director of Planning and Economic Development.

"I think it's just and fitting that as he closes out his career, the Senate commends him for the work that he has done and that we acknowledge that we are very, very grateful for his dedication to public service.

"Having said that, Mr. President, I'd like to introduce the honoree at this time, Mr. Hideto Kono.

"With him this morning, is his lovely wife and a very gracious person, Mrs. Fannie Kono.

"Mr. President, during the recess, I'd like to ask Senator Fernandes Salling to present a red carnation lei to Mr. Kono, (I think the red carnation has some historical significance, but I won't go into it at this particular time,) and Senator Abercrombie, who is the only man who voted against Mr. Kono, to present Mrs. Kono with the same kind of lei.

"Thank you very much."

Senator Abercrombie then rose and stated:

"Mr. President, I've had the dubious distinction of casting all kinds of single votes in the Legislature in the eight years that I've been a member, and, as Senator Cayetano indicated, four years ago, under circumstances

much less felicitous, shall I say, for goodwill, than those prevailing today, Mr. Kono's nomination came before the Senate. At the time, there was a great deal...I should say, Mr. President, probably less in the way of controversy rather than confrontation.

"I don't think that Mr. Kono's good character and his capabilities were ever in question. The problem that existed at that time was one of direction and policy and attitude with respect to where the Senate thought it might like to go and what the Governor would like to have accomplished. And, as it so often happens in these abstract circumstances of argument of philosophy and ideology, the human dimension causes consternation and pain, agony and anxiety.

"In those circumstances, I did indeed cast a negative vote for that nomination, and it was obviously something that any Senator does with a great deal of trepidation--certainly, with concern.

"What occurred at that time was an example of the character and class of Mr. Kono who assured me, upon his confirmation, that he looked forward to working with me as well as the other Senators and in a manner which he felt would exemplify the qualities that he possesses, the kinds of activities that he could bring to bear in the State of Hawaii would be in the public interest. He assured me that at the end of whatever period of time that he would be serving this state that he felt confident that not only would we be good friends, and not only would I have a good opinion of his work, but that his work would stand on its merits, and that the public would be well served.

"I want to say to you, Mr. President, and also to you, Mr. and Mrs. Kono, that seldom in my life have I had an opportunity to experience a prediction from someone come so true.

"Not only has he served this state well, not only has he always been a gracious and forthcoming individual, not only has he carried through on the policies of the Executive in a manner which was dignified and informative with respect to those policies and their implementation, but I think that it can be said without question that in his personal relationships, not only with the Senators but in respect to formulation of State Plans, he was continually helpful, always available, and I can say from my own personal experience, that

every single project that I thought might be useful to the state which I had the opportunity to discuss with him, he always gave it the fullest attention. As a matter of fact, I think we found ourselves agreeing much more often than not, almost 100% of the time that the various projects and cooperation necessary between the Senate and the Department of Planning and Economic Development with something that could be accomplished. I can think of numerous instances from the aquarium to the fashion industry to various sundry projects of a minor and major nature.

"My remarks have been somewhat extended because I think the accomplishments of Mr. Kono in this area have been extensive, and it is my pleasure today to say that everything that he indicated to me four years ago has come true. I wish him well and I only hope that I can, in my days of public service to this state, meet the measure and standards which he has set for this state.

"Mr. Kono, my congratulations; we all owe you a debt of thanks.

"Thank you, Mr. President."

Senator Ajifu then rose and stated:

"Mr. President, I'd just like to say a few words.

"Mr. President, I've had the opportunity to travel with Mr. Kono and during that time, I have gotten to know him. In my travels with him... on two separate occasions...where we travelled for a little over twenty days living out of suitcases, I think that is the best time to really get to know an individual, and in the course of those trips, I've gotten to know him very well. I've found this man to be a very friendly, and very compassionate person, very modest in his ways and very capable.

"I think in the course of the travel, in translating some of the missions that we had, he took the lead role in translating our missions and has done an outstanding job. And, I think, as mentioned by the previous speaker, and without elaborating, the record will speak for itself through his capability and performance.

"So, Mr. President, I too would like to congratulate Mr. Kono as he leaves the Department at the end of the session and that we want to wish him well in his private life and any new endeavors that he may undertake.

"Mr. Kono, Congratulations!"

At 11:55 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 o'clock noon.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 152 to 158) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 152), transmitting a report prepared by the 1984 Hawaii Statehood Silver Jubilee Committee, entitled: "Report to the Governor and Legislature of the 1984 Hawaii Statehood Silver Jubilee Committee - January 1983," submitted pursuant to Act 4, SSLH, 1981, was referred to the Committee on Culture and Arts.

A message from the Governor (Gov. Msg. No. 153), transmitting a report prepared by the Department of Land and Natural Resources, in response to House Resolution No. 297 (1982), requesting a study on the acquisition of real property in Kailua, Oahu, for agricultural park and watershed purposes, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 154), transmitting a report prepared by the Department of Social Services and Housing, Research and Statistics Office, entitled: "Adequacy of Welfare Allowances," January 1983, submitted pursuant to Section 346, HRS, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 155), submitting for consideration and confirmation as Director of Planning and Economic Development, the nomination of Kent Keith, term to expire December 1, 1986, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 156), submitting for consideration and confirmation as Adjutant General, the nomination of Alexis T. Lum, term to expire December 1, 1986, was referred to the Committee on Federal Relations.

A message from the Governor (Gov. Msg. No. 157), submitting for consideration and confirmation to the Labor and Industrial Relations Appeals Board, the nomination of Eduardo E.

Malapit, term to expire December 31, 1986, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 158), submitting for consideration and confirmation as Director of Personnel Services, the nomination of James H. Takushi, term to expire December 1, 1986, was referred to the Committee on Human Resources.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 26 to 28) were read by the Clerk and were disposed of as follows:

A communication from the Office of Children and Youth (Dept. Com. No. 26) transmitting copies of a report entitled: "Hawaii Basic Data and Information Book on Youth: Twelve to Eighteen Years," January 1983, was referred to the Committee on Youth and Elderly Affairs.

A communication from the Department of Social Services and Housing (Dept. Com. No. 27) transmitting copies of a report published by the Commonwealth Fund entitled: "What's Being Done About Medicaid?", was referred to the Committee on Human Resources.

A communication from the Hawaii Public Employment Relations Board (Dept. Com. No. 28) transmitting copies of HPERB Informational Bulletin No. 20, dated February 17, 1983, was referred to the Committee on Human Resources.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 26 and 27) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 26), entitled: "SENATE CONCURRENT RESOLUTION IN RECOGNITION OF THE 'INTERNATIONAL HUMANITARIAN LAW AND ARMED CONFLICT' CONFERENCE HELD IN HONOLULU ON FEBRUARY 16 - 19, 1983," was offered by Senator Abercrombie.

By unanimous consent, S.C.R. No. 26 was referred to the Committee on Federal Relations.

A concurrent resolution (S.C.R. No. 27), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN UPDATE OF THE STATUS OF

AGRICULTURAL PARKS," was offered by Senators Uwayne and Ajifu.

By unanimous consent, S.C.R. No. 27 was referred to the Committee on Agriculture.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 35 to 39) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 35), entitled: "SENATE RESOLUTION REQUESTING THE ADMINISTRATION AND CITY COUNCIL OF THE CITY AND COUNTY OF HONOLULU TO RECONSIDER THEIR OPPOSITION TO A FIXED-GUIDEWAY MASS TRANSIT SYSTEM," was offered by Senators Kuroda, Fernandes Salling, Toguchi, Ajifu, George, Soares, Abercrombie, Solomon, Henderson, A. Kobayashi, Carpenter, Machida, Young, Holt and Aki.

By unanimous consent, S.R. No. 35 was referred to the Committee on Transportation.

A resolution (S.R. No. 36), entitled: "SENATE RESOLUTION IN RECOGNITION OF THE 'INTERNATIONAL HUMANITARIAN LAW AND ARMED CONFLICT' CONFERENCE HELD IN HONOLULU ON FEBRUARY 16 - 19, 1983," was offered by Senator Abercrombie.

By unanimous consent, S.R. No. 36 was referred to the Committee on Federal Relations.

A resolution (S.R. No. 37), entitled: "SENATE RESOLUTION REQUESTING AN UPDATE OF THE STATUS OF AGRICULTURAL PARKS," was offered by Senators Uwayne and Ajifu.

By unanimous consent, S.R. No. 37 was referred to the Committee on Agriculture.

A resolution (S.R. No. 38), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO PROCEED EXPEDITIOUSLY WITH THE PLANNING, DESIGN, LAND ACQUISITION, AND CONSTRUCTION OF THE WAIPAHA CIVIC CENTER ON THE SITE SELECTED BY THE COMMUNITY," was offered by Senators Kuroda, Young, Cayetano, Aki, Yamasaki, Henderson, Ajifu, Carpenter, Hagino, Soares, Holt, Fernandes Salling, George, Chang, Solomon, Machida, Uwayne, Mizuguchi

and Toguchi.

By unanimous consent, S.R. No. 38 was referred to the Committee on Government Operations and County Relations.

A resolution (S.R. No. 39), entitled: "SENATE RESOLUTION RELATING TO THE COORDINATION OF SERVICES TO NATIVE HAWAIIANS," was offered by Senators Fernandes Salling, Cayetano, Aki, Toguchi, Machida, Soares, A. Kobayashi, Ajifu, Uwayne, Kawasaki, Kuroda and B. Kobayashi.

By unanimous consent, S.R. No. 39 was referred to the Committee on Hawaiian Programs.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 22) informing the Senate that Governor's Message Nos. 155 to 158, Senate Concurrent Resolution Nos. 26 and 27, Senate Resolution Nos. 35 to 39, and Standing Committee Report Nos. 23 to 28 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 23) recommending that Senate Bill No. 22 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 22, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 3, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 24) recommending that Senate Bill No. 13, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 13, S.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF PROPERTY INSURANCE RATES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 25) recommending that Senate Bill No. 30, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 30, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 26) recommending that Senate Bill No. 32, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 32, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STATEWIDE TIE-LINE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 27) recommending that S.B. No. 416, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the majority of the Committee was adopted and S.B. No. 416, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION OF RELATED CORPORATIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 28) recommending that Senate Bill No. 556, as amended in S.D. 1, pass Second Reading and be

referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 556, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Second Reading and was referred to the Committee on Ways and Means.

At 12:01 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:02 o'clock p.m.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

The President made the following re-referrals of bills that were introduced on Tuesday, February 15, 1983:

Senate Bills Referred to:

No. 1003 Jointly to the Committee on Consumer Protection and Commerce and the Committee on Housing and Urban Development

No. 1136 Committee on Ways and Means

No. 1396 Committee on Education, then to the Committee on Ways and Means

No. 1424 Committee on Human Resources, then to the Committee on Ways and Means

At this time, Senator Mizuguchi, Chairman of the Committee on Human Resources, requested a waiver of the 48-hour notice of a Public Hearing on the following measures:

Senate Bill No. 1118, entitled: "A BILL FOR AN ACT RELATING TO EXCLUSIONS FROM APPROPRIATE BARGAINING UNITS;" and

Senate Bill No. 1123, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES EXCLUDED FROM BARGAINING UNITS,"

and the President granted the waiver.

At this time Senator Abercrombie rose and stated:

"Mr. President, a point of personal

privilege and maybe an inquiry of the Chair.

"Mr. President, as you know, I don't rely on the newspapers for my information. I just need to have a source of amusement.

"After an arduous day and evening in the Legislature, I sometimes glance at them and I notice in the newspapers that there's some indication ...probably stirred up by reporters with nothing better to do than to try and cause problems in the Senate ...but, one of the amusing indications was that at least one chairman or two in the Senate might be considering advancing the budget to the Ways and Means Committee outside the boundaries of the financial constrictions which Ways and Means has indicated to all chairmen.

"I'm amused by that because I know that if any chairman put forward a budget which was in a percentage of 5, 10, 15, 20 or even 25% over that which was allotted by Ways and Means, that Ways and Means would of course grant the Education Committee the same privilege, would it not?"

The Chair then replied:

"I would assume they would."

Senator Abercrombie then concluded his remarks stating:

"Thank you very much, Mr. President."

Senator Soares then rose and stated:

"Mr. President, I'd like to rise on a point of personal privilege, and also to proceed to a point of inquiry, if I might.

"I have on my desk here, the 1983 Legislative Action Yellow Pages, and I'd like to ask Senator Abercrombie if he would yield to a question?"

Senator Abercrombie having answered in the affirmative, Senator Soares continued:

"Mr. President, under Senator Abercrombie's community involvement, I'd like to read one of them, and I'd like to have an answer from him as to what it means -- 'Advisory Council, National Committee on the Treatment of Intractable Pain.' Senator Abercrombie, what does that mean?"

Senator Abercrombie then replied:

"What that means, Mr. President, is that I have been the cause of so much grief in this body that I thought that I, at the very least, ought to join a committee for an opportunity to relieve it."

Senator Soares then concluded his remarks stating:

"I thought it was the budget problem that he was having pain with, Mr. President."

Senator Abercrombie then stated:

"As a matter of fact, Mr. President, this is an opportunity to make a statement on behalf of that committee that I'm very proud to belong to, and I hope we will succeed soon.

"The principal activity of the committee, and incidentally, I am a member of its national committee, is to see to it that the courageous action of the ex-Health Chairman, Senator Carpenter, now our Judiciary Chairman, in moving forward a resolution on the medicinal use of heroin for terminal cancer pain.

"People do not fully understand the terrifying and horrifying conditions under which people exist, especially in the last ten days to two weeks of their life with cancer, in which no drug of choice now available will offer any relief.

"We are in hopes that we can get national legislation, which I'm very happy to say Senator Inouye is the principal sponsor, as a result of our actions here, enacted so that people may be relieved of their agony in their final moments.

"I do hope that it will pass soon and I do indicate to Senator Soares in addition of such pain as I am now feeling over the budget is only too close to my heart and I know that our good Republican minority members here are going to do everything in their power to see to it that I am relieved of mine."

The President then stated:

"The Chair would like to make a few reminders. First, Thursday is the deadline for movement of Senate bills to the final committee, and second, if the committee reports can possibly be submitted to the Clerk tomorrow by 4:30 p.m.

"Again, I repeat, standing committee reports for final movement

of bills to the Clerk's office by 4:30 p.m. tomorrow. If you have any standing committee reports now, we would like to have you submit them to the Clerk as soon as possible to avoid the inevitable logjams that we have on the final movement of bills."

ADJOURNMENT

At 12:10 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 2, 1983.

TWENTY-FIFTH DAY

Wednesday, March 2, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Chaplain Lee M. Thompson of the United States Air Force, after which the Roll was called showing all Senators present with the exception of Senator Aki who was excused.

The Chair announced that he had read and approved the Journal of the Twenty-Fourth Day.

The following introductions were then made to the members of the Senate:

Senator Cobb, on behalf of Senator Soares and himself, introduced 24 third grade students of Holy Nativity School, Aina Haina, their teacher Mrs. Amy Littlejohn, and parents, Mrs. Kaneshiro, Mrs. Haushalter and Mrs. Nakahodo.

Senator Carpenter, on behalf of the Big Island Senators (Solomon, Henderson and Carpenter), introduced 24 students from Hilo High School, Ka'u High School, and Waiakea High School, and student coordinators: Luann Aki, Lorna Kinoshita, and Whitney Jenkins, their faculty advisor Mrs. Netlie Yokoyama and district advisor Mr. Wallace Aki. Senator Carpenter added that the students are participating in the Legislative Experience Program and have been here at the Legislature for two days.

Senator Carpenter also introduced a group of Big Island residents who are the leaders and coordinators of the agricultural industry, here to participate in the leadership class of the Hawaii Agricultural Leadership Program. The group was accompanied by Mr. Howard Takata, their coordinator.

Senator Soares then introduced a group of retirees of Local 5, Hotel Workers Union, and Mrs. Agnes Teixeira, their escort. Senator Soares especially recognized Mrs. Teixeira as a loyal and hard-working campaign worker in the 17 years that he has been in politics.

Senator Kobayashi introduced Anna Vesikula, Margaret Nakikus and Cecelia Kave who are recipients of Pacific Fellow Grants of the American

Association of University Women, Honolulu Branch. Mrs. Florence Lau of the American Association of University Women accompanied the distinguished ladies.

At 11:42 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:45 o'clock a.m. with the Vice-President presiding in the Chair.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 159) transmitting copies of the reports, "State Activities to Implement Priority Directions of The Hawaii State Plan," February 1983, and "County Activities to Implement Priority Directions of The Hawaii State Plan," February 1983, that are separate attachments to the "State Plan Policy Council Progress Report on Activities Conducted in Furtherance of The Hawaii State Plan," January 1983, prepared by the Department of Planning and Economic Development with the assistance of other state and county agencies, in response to Chapter 226, HRS, was read by the Clerk and was referred to the Committee on Economic Development.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 21) transmitting House Concurrent Resolution No. 17, which was adopted by the House of Representatives on March 1, 1983, was read by the Clerk and was placed on file.

By unanimous consent, H.C.R. No. 17, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY URGING THE PRESIDENT AND THE CONGRESS TO AUTHORIZE THE CONTINUED USE OF TAX-EXEMPT REVENUE BONDS AS THE PRIMARY SOURCE OF FUNDING FOR HAWAII'S HULA MAE MORTGAGE LOAN PROGRAM," was referred to the Committee on Housing and Urban Development.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 28), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO CONDUCT A STUDY OF THE

EFFECT OF HAWAII'S PREPAID HEALTH CARE LAWS ON THE TEMPORARY HELP INDUSTRY," was offered by Senators B. Kobayashi and Mizuguchi, and was read by the Clerk.

By unanimous consent, S.C.R. No. 28 was referred to the Committee on Human Resources.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 40 to 43) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 40), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF TOURISM PROMOTION ACTIVITIES OF COUNTRIES IN THE PACIFIC AREA," was offered by Senator Soares.

By unanimous consent, S.R. No. 40 was referred to the Committee on Tourism.

A resolution (S.R. No. 41), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE USE OF HERBICIDES, PESTICIDES, TOXIC SPRAYS, AND SIMILAR CHEMICALS IN RESIDENTIAL NEIGHBORHOODS," was offered by Senator Soares.

By unanimous consent, S.R. No. 41 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 42), entitled: "SENATE RESOLUTION RELATING TO THE ESTABLISHMENT OF ENVIRONMENTAL AND RECREATIONAL SAFEGUARDS REGULATING STATE-LICENSED MARICULTURAL OPERATIONS AND OCEAN LEASING IN THE SEA WATERS OF THE STATE," was offered by Senators Solomon, Cayetano, Chang, Machida, Uwayne, Henderson, Young, Hagino, B. Kobayashi and Toguchi.

By unanimous consent, S.R. No. 42 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 43), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO CONDUCT A STUDY OF THE EFFECT OF HAWAII'S PREPAID HEALTH CARE LAWS ON THE TEMPORARY HELP INDUSTRY," was offered by Senators B. Kobayashi and Mizuguchi.

By unanimous consent, S.R. No. 43

was referred to the Committee on Human Resources.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 29) informing the Senate that Senate Concurrent Resolution No. 28, Senate Resolution Nos. 40 to 43, and Standing Committee Report Nos. 30 to 56 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Hagino, for the Committee on Federal Relations, presented a report (Stand. Com. Rep. No. 30) recommending that Senate Bill No. 116, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 116, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MAJOR DISASTER FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 31) recommending that Senate Bill No. 239, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 239, S.D.1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BAIL BOND SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 32) recommending that Senate Bill No. 318, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 318, entitled: "A BILL FOR AN ACT RELATING TO PROBATION

FUNCTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 33) recommending that Senate Bill No. 487, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 487, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 34) recommending that Senate Bill No. 491, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 491, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 35) recommending that Senate Bill No. 497, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 497, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 36) recommending that Senate Bill No. 532, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 532, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO PRE-TRIAL DETAINEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 37) recommending that Senate Bill No. 705, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 705, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 38) recommending that Senate Bill No. 1159, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1159, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHING A PUBLIC GUARDIANSHIP AGENCY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 39) recommending that Senate Bill No. 1292, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1292, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT OF THE HOLO HOLO CASES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 40) recommending that Senate Bill No. 1277, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee

was adopted and S.B. No. 1277, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNSEL AND OTHER SERVICES FOR INDIGENT DEFENDANTS IN CRIMINAL CASES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 41) recommending that Senate Bill No. 437, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 437, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERSTATE TRANSMISSION OF CRIMINAL JUSTICE DATA AND INFORMATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 42) recommending that Senate Bill No. 891, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 891, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF NEGOTIATED SETTLEMENT BETWEEN RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII AND HAWAIIAN DREDGING AND CONSTRUCTION COMPANY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 43) recommending that Senate Bill No. 938, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 938, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESS FEES IN CIVIL AND CRIMINAL CASES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 44) recommending that Senate Bill No. 1039, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1039, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHMENT OF A VICTIM-WITNESS FUNDING PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 45) recommending that Senate Bill No. 1237, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1237, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS AND MAKING AN APPROPRIATION THEREFOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 46) recommending that Senate Bill No. 215, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 215, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGISTRATION OF AIRCRAFT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the majority of the Committee on Transportation, presented a report (Stand. Com. Rep. No. 47) recommending that Senate Bill No. 390, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 390, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

HARBORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 48) recommending that Senate Bill No. 439, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 439, entitled: "A BILL FOR AN ACT RELATING TO PROHIBITED MOTOR AND OTHER VEHICLE EQUIPMENT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Uwaine, for the majority of the Committee on Transportation, presented a report (Stand. Com. Rep. No. 49) recommending that Senate Bill No. 730, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 730, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU FOR IMPROVEMENTS TO MOANALUA ROAD, OAHU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 50) recommending that Senate Bill No. 731, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 731, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU FOR IMPROVEMENTS TO GOVERNMENT ROADS IN WAIANAË," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 51) recommending that Senate Bill No. 732, pass Second Reading and be referred to the Committee on Ways

and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 732, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU FOR IMPROVEMENTS TO WILSON TUNNEL VENTILATION AND LIGHTING SYSTEMS, OAHU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 52) recommending that Senate Bill No. 551, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 551, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 53) recommending that Senate Bill No. 1037, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1037, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRODUCT LIABILITY," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 54) recommending that Senate Bill No. 380, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 380, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORK," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the majority of the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 55) recommending that Senate Bill No. 539, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 539, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 56) recommending that

Senate Bill No. 207, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 207, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," passed Second Reading and was referred to the Committee on Judiciary.

ADJOURNMENT

At 11:47 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 3, 1983.

TWENTY-SIXTH DAY

Thursday, March 3, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Doctor Charles P. Jinks, Pastor of the Kailua Baptist Church, after which the Roll was called showing all Senators present with the exception of Senators Aki and Fernandes Salling who were excused.

The Chair announced that he had read and approved the Journal of the Twenty-Fifth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Kawasaki, on behalf of Senator Fernandes Salling, introduced a group of students from Waimea High School, accompanied by their teacher, Francis Moriguchi and their advisor, Mrs. Tsuruko Goto.

Senator Young then rose and stated:

"Mr. President, I would like to make several introductions.

"On the floor this morning, we have Ruth Ono, vice-president of Special Services at Queen's Medical Center. Ruth was selected as one of the 'Top Ten Business Women of 1982,' of the American Business Women's Association in competition with 1,800 chapter winners from a total of 100,000 members throughout the nation and Puerto Rico.

"Today it's most fitting to recognize Ruth and her many accomplishments. Today is Girls' Day on the Japanese calendar and next week Hawaii joins the rest of the nation to celebrate National Women's History Week. It is a time to recognize the heritage and accomplishments of all women, worldwide, and particularly the women of Hawaii.

"Mr. President, it gives me great pleasure to introduce to you and this body Mrs. Ruth Ono.

"Accompanying Mrs. Ono is Mrs. Lily Donowaki, wife of the Consul General of Japan.

"Also, Mr. President, in the

gallery, may I introduce Mr. Alfred Ono, husband of Mrs. Ono, Faye Hironaka, Amy Kurihara and two visitors from Japan, Miss Mika Aoki and Mr. Tomoya Aoki, two of the many children the Ono's have been fortunate enough to add to their family circle."

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55 o'clock a.m.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 160) transmitting the "Annual Report of the Public Utilities Commission for the Fiscal Year 1981-82," was read by the Clerk and was referred to the Committee on Economic Development.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 22 to 26), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 22) transmitting House Bill No. 273, which passed Third Reading in the House of Representatives on March 2, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 273, entitled: "A BILL FOR AN ACT RELATING TO THE SUBPOENA POWERS OF THE DIRECTOR OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 23) transmitting House Bill No. 304, which passed Third Reading in the House of Representatives on March 2, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 304, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS, ARCHITECTS AND SURVEYORS," passed First Reading by title and was referred to the Committee on

Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 24) transmitting House Bill No. 306, which passed Third Reading in the House of Representatives on March 2, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 306, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS, ARCHITECTS AND SURVEYORS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 25) transmitting House Bill No. 657, which passed Third Reading in the House of Representatives on March 2, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 657, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF ELECTRICIANS AND PLUMBERS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 26) transmitting House Bill No. 658, which passed Third Reading in the House of Representatives on March 2, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 658, entitled: "A BILL FOR AN ACT RELATING TO ENGINEERS, ARCHITECTS, AND SURVEYORS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 29), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF FLUORIDATING HAWAII'S PUBLIC WATER SUPPLY," was offered by Senator B. Kobayashi, and was read by the Clerk.

By unanimous consent, S.C.R. No. 29 was referred to the Committee on Health.

SENATE RESOLUTION

A resolution (S.R. No. 44), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF FLUORIDATING HAWAII'S PUBLIC WATER SUPPLY," was offered by Senator B. Kobayashi, and was read by the Clerk.

By unanimous consent, S.R. No. 44 was referred to the Committee on Health.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 57) informing the Senate that Senate Concurrent Resolution No. 29, Senate Resolution No. 44, and Standing Committee Report Nos. 58 to 211 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator Soares and carried, the report of the Committee was adopted.

Senator Mizuguchi, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 58) recommending that Senate Bill No. 344, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 344, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES IN CERTAIN EXEMPT POSITIONS IN THE PLANNING AND DEVELOPMENT OFFICE OF THE DEPARTMENT OF AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 59) recommending that S.B. No. 346, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 346, entitled: "A BILL FOR AN ACT RELATING TO PLANT

QUARANTINE INSPECTORS OF THE DEPARTMENT OF AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 60) recommending that Senate Bill No. 833 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 833, entitled: "A BILL FOR AN ACT RELATING TO THE JOB TRAINING PARTNERSHIP ACT OF 1982," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 61) recommending that Senate Bill No. 834 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 834, entitled: "A BILL FOR AN ACT RELATING TO DISLOCATED WORKERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 62) recommending that Senate Bill No. 838 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 838, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTARY JOB SHARING IN STATE GOVERNMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 63) recommending that Senate Bill No. 839, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb,

seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 839, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 64) recommending that Senate Bill No. 840 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 840, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 65) recommending that Senate Bill No. 844 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 844, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 66) recommending that Senate Bill No. 849 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 849, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 67) recommending that Senate Bill No. 878, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways

and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 878, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 68) recommending that Senate Bill No. 931 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 931, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, and Senator Solomon, for the Committee on Youth and Elderly Affairs, presented a joint report (Stand. Com. Rep. No. 69) recommending that Senate Bill No. 718, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the joint report of the Committees was adopted and S.B. No. 718, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A CHILDRENS TRUST FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fernandes Salling, for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 70) recommending that Senate Bill No. 119, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 119, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fernandes Salling, for the

Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 71) recommending that Senate Bill No. 614 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 614, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS' BUDGET," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fernandes Salling, for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 72) recommending that Senate Bill No. 721 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 721, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fernandes Salling, for the majority of the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 73) recommending that Senate Bill No. 921, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 921, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fernandes Salling, for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 74) recommending that Senate Bill No. 922, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 922, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," passed

Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 75) recommending that Senate Bill No. 150, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 150, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED COMPENSATION PLAN FOR PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the majority of the Committee on Tourism, presented a report (Stand. Com. Rep. No. 76) recommending that Senate Bill No. 271, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 271, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII VISITORS BUREAU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the majority of the Committee on Tourism, presented a report (Stand. Com. Rep. No. 77) recommending that Senate Bill No. 1316, as amended in S.D. 1, pass First Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 1316, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM AND MAKING AN APPROPRIATION THEREFOR," passed First Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 78) recommending that Senate Bill No. 126 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee

was adopted and S.B. No. 126, entitled: "A BILL FOR AN ACT RELATING TO USE OF CREDIT CARDS FOR HOSPITAL CHARGES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 79) recommending that Senate Bill No. 127 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 127, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 80) recommending that Senate Bill No. 306 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 306, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 81) recommending that Senate Bill No. 538 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 538, entitled: "A BILL FOR AN ACT RELATING TO HILO HOSPITAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 82) recommending that Senate Bill No. 591, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 591, S.D.

1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL PEER REVIEW," passed Second Reading and was referred to the Committee on Judiciary.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 83) recommending that Senate Bill No. 592 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 592, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CENTER FOR FORENSIC PSYCHIATRY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 84) recommending that Senate Bill No. 593, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 593, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL PEER REVIEW," passed Second Reading and was referred to the Committee on Judiciary.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 85) recommending that Senate Bill No. 649, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 649, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OSTEOPATHY," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 86) recommending that Senate Bill No. 717 pass Second Reading and be referred to the Committee on Youth and Elderly Affairs.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee

was adopted and S.B. No. 717, entitled: "A BILL FOR AN ACT RELATING TO PREVENTIVE MEDICINE," passed Second Reading and was referred to the Committee on Youth and Elderly Affairs.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 87) recommending that Senate Bill No. 821 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 821, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH GERONTOLOGY UNIT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 88) recommending that Senate Bill No. 824, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 824, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 89) recommending that Senate Bill No. 825 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 825, entitled: "A BILL FOR AN ACT RELATING TO HEMOPHILIA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 90) recommending that Senate Bill No. 826 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 826, entitled: "A BILL FOR AN ACT

AUTHORIZING A SUPPLEMENTARY APPROPRIATION TO FINANCE MEDICARE AND MEDICAID REIMBURSEMENTS LOST AS A RESULT OF THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982 (TEFRA '82)," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 91) recommending that Senate Bill No. 994 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 994, entitled: "A BILL FOR AN ACT RELATING TO THE MOLOKAI GENERAL HOSPITAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 92) recommending that Senate Bill No. 1282 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1282, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Judiciary.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 93) recommending that Senate Bill No. 459, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 459, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 94) recommending that Senate Bill No. 799 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb,

seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 799, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 95) recommending that Senate Bill No. 926 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 926, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY OF BEACH EROSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 96) recommending that Senate Bill No. 927 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 927, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS AND RECREATION AREAS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 97) recommending that Senate Bill No. 1089, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1089, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AQUARIUM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 98) recommending that Senate Bill No. 1268, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1268, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WAIKIKI AQUARIUM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 99) recommending that Senate Bill No. 1279, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1279, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 100) recommending that Senate Bill No. 403, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 403, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 101) recommending that Senate Bill No. 607, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 607, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand.

Com. Rep. No. 102) recommending that Senate Bill No. 693 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 693, entitled: "A BILL FOR AN ACT RELATING TO FINES AND FORFEITURES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 103) recommending that Senate Bill No. 1173 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1173, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF TAX ANTICIPATION NOTES OF THE COUNTIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 104) recommending that Senate Bill No. 1196 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1196, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID FOR THE HAWAII REDEVELOPMENT AGENCY, COUNTY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 105) recommending that Senate Bill No. 1200, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1200, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GUARANTIES BY COUNTIES," passed Second Reading and was referred to the Committee on

Ways and Means.

Senator Aki, for the Committee on Culture and Arts, presented a report (Stand. Com. Rep. No. 106) recommending that Senate Bill No. 1267, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1267, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A MATCHING GRANT IN AID TO THE HONOLULU SYMPHONY FOR ENDOWMENT FUND PURPOSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Culture and Arts, presented a report (Stand. Com. Rep. No. 107) recommending that Senate Bill No. 1272, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1272, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE KING KAMEHAMEHA CELEBRATION COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fernandes Salling, for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 108) recommending that Senate Bill No. 1298, as amended in S.D. 1, pass First Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1298, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ISSUANCE OF BONDS FOR HAWAIIAN PROGRAMS," passed First Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 109) recommending that Senate Bill No. 224, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and

carried, the report of the Committee was adopted and S.B. No. 224, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 110) recommending that Senate Bill No. 402, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 402, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 111) recommending that Senate Bill No. 1048, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1048, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFTER-SCHOOL PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 112) recommending that Senate Bill No. 1049, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and Senate Bill No. 1049, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF THE BOARD OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 113) recommending that Senate Bill No. 1122, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1122, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 114) recommending that Senate Bill No. 1137 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1137, entitled: "A BILL FOR AN ACT RELATING TO STUDENT TRANSPORTATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 115) recommending that Senate Bill No. 1138, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 1138, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 116) recommending that Senate Bill No. 1396, as amended in S.D. 1, pass First Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1396, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LIBRARIES," passed First Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 117) recommending that Senate Bill No. 360 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 360, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT OF PATIENTS AT FACILITIES FOR THE TREATMENT OF PERSONS SUFFERING FROM HANSEN'S DISEASE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 118) recommending that Senate Bill No. 423, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 423, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND SUBSTANCE ABUSE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 119) recommending that Senate Bill No. 1100 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 1100, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 120) recommending that Senate Bill No. 667 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 667, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 121) recommending that Senate Bill No. 128, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 128, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 122) recommending that Senate Bill No. 477, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 477, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Judiciary.

Senator Fernandes Salling, for the Committee on Hawaiian Programs, and Senator Solomon, for the Committee on Youth and Elderly Affairs, presented a joint report (Stand. Com. Rep. No. 123) recommending that Senate Bill No. 901 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the joint report of the Committees was adopted and S.B. No. 901, entitled: "A BILL FOR AN ACT RELATING TO THE PROGRESSIVE NEIGHBORHOODS PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 124) recommending that Senate Bill No. 6, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 6, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a

report (Stand. Com. Rep. No. 125) recommending that Senate Bill No. 5, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 5, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 126) recommending that Senate Bill No. 1198, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1198, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EQUAL ACCESS TO JUSTICE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 127) recommending that Senate Bill No. 635, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 635, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CRIMINAL JUSTICE SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 128) recommending that Senate Bill No. 1031, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1031, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 129) recommending that Senate Bill No. 472, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 472, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 130) recommending that Senate Bill No. 1299, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1299, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REAPPORTIONMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 131) recommending that Senate Bill No. 51, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 51, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL CLAIMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 132) recommending that Senate Bill No. 1217, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1217, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ORGANIZED CRIME, CHAPTER 842, HAWAII REVISED STATUTES," passed Second Reading and was referred to the Committee on

Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 133) recommending that Senate Bill No. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 134) recommending that Senate Bill No. 634, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 634, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIGHTS OF VICTIMS AND WITNESSES IN CRIMINAL PROCEEDINGS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 135) recommending that Senate Bill No. 1192, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1192, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIME COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 136) recommending that Senate Bill No. 68, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 68, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS,"

passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 137) recommending that Senate Bill No. 818, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 818, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX LAW," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 138) recommending that Senate Bill No. 552 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 552, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX LAW," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 139) recommending that Senate Bill No. 1338, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Consumer Protection and Commerce for further consideration.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1338, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," passed First Reading and was recommitted to the Committee on Consumer Protection and Commerce for further consideration.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 140) recommending that Senate Bill No. 238, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 238, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFICIENCY JUDGMENTS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 141) recommending that Senate Bill No. 197, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 197, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 142) recommending that Senate Bill No. 252, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Economic Development.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 252, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LAND USE COMMISSION," passed Second Reading and was referred to the Committee on Economic Development.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 143) recommending that Senate Bill No. 327 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 327, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 144) recommending that Senate Bill No. 462, as amended in S.D. 1, pass Second Reading and be

referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 462, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 145) recommending that Senate Bill No. 608, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 608, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL ASSISTANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 146) recommending that Senate Bill No. 681 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 681, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 147) recommending that Senate Bill No. 683 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 683, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 148) recommending that Senate Bill No. 420, as amended in

S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 420, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND READJUSTMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 149) recommending that Senate Bill No. 686 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 686, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY DOWNPAYMENT LOAN PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 150) recommending that Senate Bill No. 965, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 965, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 151) recommending that Senate Bill No. 966, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 966, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toguchi, for the Committee on Agriculture, presented a report

(Stand. Com. Rep. No. 152) recommending that Senate Bill No. 385, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 385, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toguchi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 153) recommending that Senate Bill No. 387, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 387, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF PINEAPPLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toguchi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 154) recommending that Senate Bill No. 433, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 433, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toguchi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 155) recommending that Senate Bill No. 513, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Economic Development.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 513, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Economic

Development.

Senator Toguchi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 156) recommending that Senate Bill No. 716 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 716, entitled: "A BILL FOR AN ACT RELATING TO THE AGRICULTURAL TRAINING FACILITIES PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toguchi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 157) recommending that Senate Bill No. 1027, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1027, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 158) recommending that Senate Bill No. 89 pass Second Reading and be referred to the Committee on Youth and Elderly Affairs.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 89, entitled: "A BILL FOR AN ACT RELATING TO THE STATE IMMIGRANT SERVICES CENTER," passed Second Reading and was referred to the Committee on Youth and Elderly Affairs.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 159) recommending that Senate Bill No. 208 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 208, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF

SOCIAL SERVICES AND HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 160) recommending that Senate Bill No. 505, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 505, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A STATEWIDE TRANSITION TO WORK SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 161) recommending that Senate Bill No. 540, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 540, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 162) recommending that Senate Bill No. 828 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 828, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL AND CAREER INFORMATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 163) recommending that Senate Bill No. 1054, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb,

seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1054, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JOB SHARING PROJECT IN THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 164) recommending that Senate Bill No. 1120 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1120, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 165) recommending that Senate Bill No. 555, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 555, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE FEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 166) recommending that Senate Bill No. 775, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 775, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 167) recommending that Senate Bill No. 15, as amended

in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 15, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PURCHASE OF GOODS AND SERVICES FROM PRIVATE ENTERPRISE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 168) recommending that Senate Bill No. 20, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 20, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT FOR GOODS AND SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the majority of the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 169) recommending that Senate Bill No. 442, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 442, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUNERAL ESCORTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 170) recommending that Senate Bill No. 1175, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1175, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Culture and Arts, presented a report (Stand. Com. Rep. No. 171) recommending that Senate Bill No. 1303, as amended in S.D. 1, pass First Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1303, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CULTURE AND THE ARTS AND MAKING AN APPROPRIATION THEREFOR," passed First Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 172) recommending that Senate Bill No. 1253, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1253, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 173) recommending that Senate Bill No. 1255, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1255, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 174) recommending that Senate Bill No. 1256, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1256, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS, SCHOLARSHIPS AND FINANCIAL AIDS AT THE UNIVERSITY OF

HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 175) recommending that Senate Bill No. 1257 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1257, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII LIBRARIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 176) recommending that Senate Bill No. 1259, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1259, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION PROFESSIONAL STUDENT EXCHANGE PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, and Senator Fernandes Salling, for the Committee on Hawaiian Programs, presented a joint report (Stand. Com. Rep. No. 177) recommending that Senate Bill No. 1261, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the joint report of the Committees was adopted and S.B. No. 1261, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HISTORY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 178) recommending that Senate Bill No. 704, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 704, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fernandes Salling, for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 179) recommending that Senate Bill No. 7, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 7, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 180) recommending that Senate Bill No. 741, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 741, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY VEHICULAR TAX REFUNDS; VEHICLES REMOVED FROM THE STATE; JUNKED VEHICLES; VEHICLES BROUGHT INTO THE STATE; EXEMPTIONS FOR STORED VEHICLES," passed Second Reading and was referred to the Committee on Transportation.

Senator Cayetano, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 181) recommending that Senate Bill No. 900, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 900, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIQUOR TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 182) recommending that Senate Bill No. 1062, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1062, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 183) recommending that Senate Bill No. 1305, as amended in S.D. 1, pass First Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1305, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT AND MAKING AN APPROPRIATION THEREFOR," passed First Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 184) recommending that Senate Bill No. 251, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 251, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 185) recommending that Senate Bill No. 905, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 905, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PRODUCT

DEVELOPMENT CORPORATION ACT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 186) recommending that Senate Bill No. 1060, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1060, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATION DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 187) recommending that Senate Bill No. 1061, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1061, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTION OF OVERSEAS SALES OF HAWAII MANUFACTURED ELECTRONIC EQUIPMENT FROM THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 188) recommending that Senate Bill No. 1178 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1178, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS BY COUNTIES TO FINANCE INDUSTRIAL ENTERPRISES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 189) recommending that Senate Bill No. 1177 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1177, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS BY COUNTIES TO FINANCE MANUFACTURING ENTERPRISES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 190) recommending that Senate Bill No. 1085 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1085, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 191) recommending that Senate Bill No. 1070 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1070, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL LOAN PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 192) recommending that Senate Bill No. 755 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 755, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR CONSTRUCTION OF AN ETHANOL PLANT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 193)

recommending that Senate Bill No. 228 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 228, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 194) recommending that Senate Bill No. 212 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 212, entitled: "A BILL FOR AN ACT RELATING TO TAX INCENTIVES FOR SOLAR ENERGY DEVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 195) recommending that Senate Bill No. 368 pass Second Reading and be referred to the Committee on Transportation.

By unanimous consent, the referral of S.B. No. 368 to the Committee on Transportation was waived.

On motion by Senator Abercrombie, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 195 was received and placed on file, and S.B. No. 368, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 196) recommending that Senate Bill No. 1096 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1096, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce,

presented a report (Stand. Com. Rep. No. 197) recommending that Senate Bill No. 812, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 812, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 198) recommending that Senate Bill No. 1174, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1174, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF NOTES IN ANTICIPATION NOTES OF FEDERAL OR STATE GRANTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 199) recommending that Senate Bill No. 742, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 742, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DERELICT VEHICLE; SALE OF ABANDONED VEHICLES BY TOWING COMPANIES; AND MOTOR VEHICLE REPAIR BUSINESS," passed Second Reading and was referred to the Committee on Transportation.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 200) recommending that Senate Bill No. 695, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 695, S.D.

1, entitled: "A BILL FOR AN ACT RELATING TO DOG CONTROL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 201) recommending that Senate Bill No. 1245 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1245, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 202) recommending that Senate Bill No. 995 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 995, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 203) recommending that Senate Bill No. 857 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 857, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 204) recommending that Senate Bill No. 827, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and

carried, the report of the Committee was adopted and S.B. No. 827, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR QUEEN'S MEDICAL CENTER, OAHU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 205) recommending that Senate Bill No. 302, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 302, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 206) recommending that Senate Bill No. 234 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 234, entitled: "A BILL FOR AN ACT RELATING TO A PATIENT'S RIGHT OF SELF-DETERMINATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 207) recommending that Senate Bill No. 1310, as amended in S.D. 1, pass First Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1310, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH AND MAKING AN APPROPRIATION THEREFOR," passed First Reading and was referred to the Committee on Ways and Means.

Senator Toguchi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 208) recommending that Senate Bill No. 132, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Economic

Development.

By unanimous consent, the referral of S.B. No. 132, S.D. 1, to the Committee on Economic Development was waived.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, Stand. Com. Rep. No. 208 was received and placed on file, and S.B. No. 132, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AQUACULTURE DEVELOPMENT PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toguchi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 209) recommending that Senate Bill No. 370, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 370, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toguchi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 210) recommending that Senate Bill No. 949, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 949, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, and Senator Mizuguchi, for the Committee on Human Resources, presented a joint report (Stand. Com. Rep. No. 211) recommending that Senate Bill No. 467, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the joint report of the Committees was adopted and S.B. No. 467, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE," passed Second Reading and was

referred to the Committee on Ways and Means.

ORDER OF THE DAY

THIRD READING

Senate Bill No. 22:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 22, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, None. Excused, 4 (Aki, Cayetano, Fernandes Salling and George).

RE-REFERRAL OF SENATE BILL

The President re-referred Senate Bill No. 1424 which was introduced on Tuesday, February 20, 1983 to the Committee on Way and Means.

At 12:00 noon, the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:05 o'clock p.m.

At this time, Senator Abercrombie rose and stated:

"Mr. President, I rise on a point of personal privilege.

"Very briefly, with respect to a report in this morning's newspaper which comments upon the situation where the Judiciary Committee did not bring out a bill relating to exemption from the anti-trust laws that the Legislature granted to the joint newspaper operations in 1972.

"I don't wish to debate that issue on the floor here. It's been debated in committee and the bill is not before us. However, there are remarks published in the paper which I think unfairly characterize those of us who have supported the bill, and I would like to speak on that for just a moment or two.

"They are characterized as anti-newspaper bills. This bill which some of us supported is characterized as anti-newspaper, giving the impression, Mr. President, that people who supported these bills are against the First Amendment, or want the Honolulu Advertiser to go out of business, or want to try and get the

jobs of the people who work for the Honolulu Advertiser or the Hawaii Newspaper Agency, for that matter. That is not true. It has never been true.

"Unfortunately, the editor of the Honolulu Advertiser has seen fit to write to the Chairman of the Judiciary Committee, misrepresenting the views of myself and Senator Kawasaki...apparently, deliberately so because the editor is perfectly aware of the testimony that has been given in committee and responses to it.

"I wish to state for the record that the support for discussion of these bills is not only entirely within the American tradition of legislative action, but is essential to it if we are not to succumb to any kind of monopoly opinion, editorial or otherwise, from anybody.

"It is the duty of this Legislature -- and I'm sure you agree, Mr. President -- to examine any legislation which we pass on the grounds that it is our obligation to find out what the result of the passage of that legislation is. Was the purpose for which the legislation passed met and do they continue to be met? Is it necessary to continue the legislation, or is it a fact or is it a premise that once legislation passes, it should never be examined, ever again, to see whether there are any adverse consequences?

"When you put it into this light, Mr. President, to attack legislators for being against newspapers or against anything else simply because they desire to see what the effects of any legislation has done and whether those effects continue to be in the public interest of the state is to attack the legislative process itself, and to exempt not just newspapers as is in the case of this legislation, but to exempt the newspapers from the same kind of scrutiny that they demand of us and of everything that we do that affects the public.

"Thank you."

Senator Kawasaki then rose and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I did want to comment on the newspaper bill and its failure to emerge from the Judiciary Committee.

"Up until a day and a half ago, I

think the chairman did have six votes to report it out of committee, which means that five or six people on the eleven-member Judiciary Committee feel very strongly about what is ostensibly a privileged statute for one business -- just the newspaper business -- who are making monies that people really don't know about.

"That is not the point of my rising. I just did want to point out to the newspapers that what drives us on relentlessly and responsibly, I believe, is to try to correct an abuse that is costing the consumers, the retail merchants, businesses other than the two newspapers, of course, a great hardship.

"We have this responsibility and one factor that drives us on relentlessly, as I said, is the unfair, the biased fashion in which reporting on this issue is conducted by particularly the morning newspaper, and just as long as they refuse to accept the responsibility of being a fair, unbiased newspaper, we have reasons to try to bring about some correction.

"You note that the newspapers continually allude to the existing statute as a 'limited exemption' statute. What may I ask is 'limited' about a statute contrary to all statutes in the country supported by the Anti-Trust Division of the Justice Department?

"What is 'limited exemption' about a statute that allows joint solicitation of business, joint setting of rates, joint pooling of profits, a practice which, if practiced by any other business, would not only bring down the wrath of the Justice Department down the necks of such perpetrators, but would also bring heavy fines and penalties. You will recall a year and a half ago that the hotel industry was fined heavily for attempting to price-fix their room rates.

"You read two weeks ago in the newspapers about a telephone conversation between the president of American Airlines and another airline, ostensibly to price-fix airline rates of sorts. This is frowned upon by the Justice Department, and probably this privileged statute which we consider no longer justified at the state level.

"We want to repeal this. The point is the coverage of the dialogue and the discussions...very important discussions and points brought out in the dialogue during the committee

hearings are never, never covered fairly. This morning's four two-inch column coverage of three bills devotes one-half of the space to the newspaper side of this issue. And this is the kind of abuse of the so-called 'freedom of the press' that we object to.

"This is what drives us on relentlessly to try and make some changes here for the benefit of the people of this state. And if the newspapers think that this is the end of the issue, let them know that there are five or six members of the eleven-member Judiciary Committee that are concerned about this abuse on the part of one paper, particularly.

"And, there are, I predict, and I think I've got a pretty good ability to count votes...I've been around here sixteen years. I believe that there is a minimum of 15 votes right in this body that would agree with us if this bill comes on the floor, and those people in the Judiciary Committee who had the sense of responsibility and the 'guts' to vote...or were willing to vote in the interest of the public of the State of Hawaii, I say wonderful...I say, you ought to be commended."

Senator Carpenter then rose and stated:

"Mr. President, on the same point, I'd just like to say that I don't take the morning newspaper anymore. I wonder if I could borrow either Senator Abercrombie's or Senator Kawasaki's copy?"

The President then stated:

"The Chair would like to make two very important announcements. First, I would like to take this opportunity to wish one of our Senators a happy birthday. Senator Solomon, you don't have to say what your age is, but we wish you a very happy birthday.

"Second, I was just scolded by my secretary for not remembering that today is Girls' Day. So girls, congratulations!"

ADJOURNMENT

At 12:15 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 4, 1983.

TWENTY-SEVENTH DAY

Friday, March 4, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by Mr. Richard Port, Deacon, Saints Peter and Paul Mission, Catholic Diocese, after which the Roll was called showing all Senators present with the exception of Senator Wong who was excused.

The Chair announced that he had read and approved the Journal of the Twenty-Sixth Day.

The following introductions were then made to the members of the Senate:

Senator Machida, on behalf of Senator Solomon, Senator Yamasaki and himself, introduced a group of outstanding students from Maui: 22 students from the Baldwin High School Key Club, accompanied by their advisor, Mrs. Barbara Huntley, and sponsor, Mr. Edwin Orikasa; and 43 students from the Maui High School Key Club, accompanied by their advisor, Miss Inez Kato.

Senator Yamasaki introduced a group of 10 students from Emmanuel Lutheran School of Kahului, Maui, and Ms. Louise Hutchinson and Mr. Tom Patterson who accompanied the students.

Senator Holt introduced a group of 60 fifth grade students of Maemae Elementary School, their teachers, Mrs. Moriyama and Mr. Sasaki, and parents, Mrs. Kawakami and Mrs. Ramones.

Senator Hagino introduced the following persons and stated as follows:

"Mr. President, each year, the Hawaii JAYCEES acknowledge three young people who possess qualities that have made them highly visible to the community.

"After a screening process has been completed, a list of ten finalists from throughout the state is evaluated, and the three most deserving individuals are designated to receive the award.

"The qualifications which are used as determining criteria for the award

may seem to include those virtuous traits that all of us aspire or profess to possess. However, the three designees have manifested their concerns for the betterment of the community and the brotherhood of man to such a conspicuous degree as to be considered above and beyond expectations. This makes their philosophies, deeds, and examples truly noteworthy.

"It is therefore with great pride and humility that I present these congratulatory certificates to the three outstanding young persons of the State of Hawaii and heartily commend them for their contributions.

"The three designees of the Outstanding Young Persons Award are: Representative Clarice Hashimoto, represented by her father Mr. Hashimoto; Representative Ron Menor, represented by his mother Mrs. Menor; and Mr. Joseph Cardoza, who, because of business commitments, could not be here.

"It is also my pleasure to present to this honorable body, Mr. Wally Nishiguchi, the JAYCEE representative and general chairman of this of event.

"And, in the gallery, Ms. Laurie Noborikawa, representing the Honolulu Downtown JAYCEE Women."

Senator Hagino presented the Senate Certificates to Mr. Hashimoto, Mrs. Menor, and Mr. Wally Nishiguchi, and Senators Solomon, Young and Holt presented them with leis.

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:46 o'clock a.m.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 29 and 30) were read by the Clerk and were disposed of as follows:

A communication from the Office of the Administrative Director of the Courts, The Judiciary (Dept. Com. No. 29), dated March 2, 1983, transmitting copies of the "Legislative Program of the Judiciary for the 1983 Legislative Session," was referred to

the Committee on Judiciary.

A communication from the Director of Taxation, Department of Taxation (Dept. Com. No. 30), dated March 3, 1983, transmitting copies of the "Hawaii Tax Laws as Administered by the Department of Taxation," January 1, 1983, was referred to the Committee on Ways and Means.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 27 to 34), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 27) transmitting House Bill No. 23, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 23, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 28) transmitting House Bill No. 209, which passed Third Reading in the House of Representatives on March 3, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 209, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF DEALERS IN FARM PRODUCE," passed First Reading by title and was referred to the Committee on Agriculture.

A communication from the House (Hse. Com. No. 29) transmitting House Bill No. 211, which passed Third Reading in the House of Representatives on March 3, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 211, entitled: "A BILL FOR AN ACT AMENDING SECTION 142-12, HAWAII REVISED STATUTES, RELATING TO PENALTIES," passed First Reading by title and was referred to the Committee on Agriculture.

A communication from the House (Hse. Com. No. 30) transmitting House Bill No. 305, H.D. 1, which passed Third Reading in the House of

Representatives on March 3, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 305, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NAME OF THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS, ARCHITECTS AND SURVEYORS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 31) transmitting House Bill No. 311, H.D. 1, which passed Third Reading in the House of Representatives on March 3, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 311, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN AMENDMENT TO SECTION 314-8, HAWAII REVISED STATUTES," passed First Reading by title and was referred to the Committee on Culture and Arts.

A communication from the House (Hse. Com. No. 32) transmitting House Bill No. 753, which passed Third Reading in the House of Representatives on March 3, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 753, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed First Reading by title and was referred to the Committee on Hawaiian Programs.

A communication from the House (Hse. Com. No. 33) transmitting House Bill No. 765, which passed Third Reading in the House of Representatives on March 3, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 765, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 34) transmitting House Concurrent Resolution No. 103, which was adopted in the House of Representatives on March 3, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 103, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AND SUPPORTING THE SIXTH ANNUAL 'AUGUSTFEST' TO BE HELD IN HONOKAA, THE 'MACADAMIA NUT CAPITOL OF THE WORLD'; RECOGNIZING THE CONTRIBUTIONS OF PAUL AND ANITA DEDOMENICO AND THE MACADAMIANS, INC.; AND URGING GOVERNMENT SUPPORT IN THE PROMOTION OF THE MACADAMIA NUT INDUSTRY," was adopted.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 30), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY IDENTIFYING AGRICULTURAL LANDS IMPORTANT TO THE STATE," was offered by Senators Hagino, Toguchi and Chang, and was read by the Clerk.

By unanimous consent, S.C.R. No. 30 was referred to the Committee on Agriculture.

SENATE RESOLUTION

A resolution (S.R. No. 45), entitled: "SENATE RESOLUTION RELATING TO GRIEVANCE PROCEDURES IN PUBLIC HOUSING," was offered by Senators Young, Hagino, Yamasaki, Soares, Holt, Ajifu and Cobb, and was read by the Clerk.

By unanimous consent, S.R. No. 45 was referred to the Committee on Housing and Urban Development.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 212) informing the Senate that Senate Concurrent Resolution No. 30, Senate Resolution No. 45, and Standing Committee Report No. 213 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 213) recommending that S.B. Bill No. 889,

pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 889, entitled: "A BILL FOR AN ACT RELATING TO FISHING," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 7, 1983.

At 11:49 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 o'clock a.m.

Senator Abercrombie then made the following announcement:

"Mr. President, as you see, I not only have a lei from Maemae School, but I have this (a lei of adding machine tape), and I'm sure Senator Yamasaki will be happy to know is the budget. This was completed, and I'd like to indicate that most of the Senators had a chance to sign our memo of transmission, lacking only Senator Kuroda to the moment. We didn't have a chance to get to him before the announcements came up, and so I would like to enter for the record our epigraph to our lower education budget recommendations.

"You will note, Mr. President, when it is entered, that we have at the bottom of our epigraph a cartoon from Corky Trinidad, appropriately adorned. The little guy in the barrel is me. And our epigraph is as follows:

'In a word, civilization begins by singing of its dreams, then narrates its doings, and lastly, sets about describing what it thinks. It is, let us say in passing, because of this last, that the drama, combining the most opposed qualities, may be at the same time full of profundity and full of relief, philosophical and picturesque...

'It would be logical to add here that everything in nature and in life passes through these three phases, the lyric, the epic and the dramatic, because everything is born, acts, and dies.'

Victor Hugo in his 'Preface to Cromwell,' which I'm sure you're all familiar with, written in 1827."

The Chair responded as follows:

"Senator Abercrombie, with that pronouncement, the Chair notes the tremendous effort and diligence you've expended in preparing the education budget ... the number of hours you've spent on it. We appreciate your efforts."

ADJOURNMENT

At 11:54 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, March 7, 1983.

TWENTY-EIGHTH DAY

Monday, March 7, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Mrs. Colleen Metcalf of the Wahiawa Christian Science Society, after which the Roll was called showing all Senators present with the exception of Senator Holt who was excused.

The Chair announced that he had read and approved the Journal of the Twenty-Seventh Day.

At this time, the following introductions were made to the members of the Senate:

Senator Kuroda, on behalf of the Senate, introduced three representatives from the American Association of Retired Persons, Mr. Richard Penhallow of Kamuela, Mr. Paul Robinson and Mr. Cates.

Senator Kuroda then stated:

"Mr. President, if I may have additional time, I'd just like to share with the members of the Senate and the people a little more information about Mr. Richard Penhallow.

"Mr. Penhallow was a plantation manager of Honolulu Sugar Plantation, which was known as the Aiea Sugar Plantation prior to World War II, and as a child, I remember Mr. Penhallow as one of the many sugar plantation managers who were very kind and responsive to the laboring people."

Senator Fernandes Salling then rose and introduced Mrs. Beatrice Aguiar, wife of former State Representative and State Senator Manuel Aguiar.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 35 to 37), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 35) transmitting House Bill No. 72, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 72, H.D. 2, entitled: "A

BILL FOR AN ACT RELATING TO HOME CARE SERVICES," passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 36) transmitting House Bill No. 208, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 208, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRADES AND STANDARDS," passed First Reading by title and was referred to the Committee on Agriculture.

A communication from the House (Hse. Com. No. 37) transmitting House Bill No. 276, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 276, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 214) informing the Senate that Standing Committee Report No. 215 has been printed and has been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 215) recommending that Senate Bill No. 1461, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Ways and Means for further consideration.

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 1461, S.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO THE STATE CONSTITUTION," passed First Reading and was recommitted to the Committee on Ways and Means for further consideration.

ORDER OF THE DAY

THIRD READING

Senate Bill No. 889:

Senator Chang, moved that S.B. No. 889, having been read throughout, pass Third Reading, seconded by Senator Hagino.

Senator Chang then stated:

"Mr. President, I just wanted to note that we received testimony on this bill from the Department of Land and Natural Resources, commercial fishermen, recreational fishermen, and environmentalists, and the testimony

was unanimous that there were no environmental concerns or problems that would be caused by this bill and that this bill ought to be adopted by the Senate."

The motion was put by the Chair and carried, and S.B. No. 899, entitled: "A BILL FOR AN ACT RELATING TO FISHING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Holt).

ADJOURNMENT

At 11:50 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 8, 1983.

TWENTY-NINTH DAY

Tuesday, March 8, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Doctor C. Richard Du Fresne, Pastor of the Community Church of Honolulu, after which the Roll was called showing all Senators present with the exception Senator Cayetano who was excused.

The Chair announced that he had read and approved the Journal of the Twenty-Eighth Day.

At 11:34 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:36 o'clock a.m., with the Vice-President presiding in the Chair.

The following introductions were then made to the members of the Senate:

Senator Soares introduced a group of 75 fifth grade students of Hahaione Elementary School, Hawaii Kai, and their teachers: Mrs. Yee, Mr. Oden, Mrs. Takahashi, Mrs. Kusunoki and Miss Kunde.

Senator Yamasaki introduced Mr. Harry M. Rowe, Jr., District Governor of California-Nevada-Hawaii for 1982-1983 of Kiwanis International, and Mrs. Mary Lou Rowe. Senator Yamasaki added that a Senate Certificate of Recognition is being presented to Mr. Rowe for his outstanding dedication and participation in community service functions since 1954.

Senator Yamasaki also introduced Mr. William A. McDaniel of Kihei, Maui, who is the Lieutenant Governor of the Hawaii Division of Kiwanis International and the coordinator of the visit of the District Governor and his party to Hawaii; Mr. Dale Miller of Honolulu, Lieutenant Governor-elect; and a group of members of Kiwanis International who were sitting in the gallery.

The Senate Certificate was presented to Mr. Rowe by Senator Yamasaki and Senators Fernandes Salling, Solomon, Young and Machida presented leis to Mr. and Mrs. Rowe, Mr. McDaniel and Mr. Miller.

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:46 o'clock a.m.

Senator Machida then introduced Mr. and Mrs. Yoshio Takata, parents of a former classmate, who were sitting in the gallery with Mr. and Mrs. Clifford Hill, visitors from the State of Illinois.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 38 to 43), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 38) transmitting House Bill No. 237, which passed Third Reading in the House of Representatives on March 7, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 237, entitled: "A BILL FOR AN ACT RELATING TO THE CONTROL OF TUBERCULOSIS," passed First Reading by title and was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 39) transmitting House Bill No. 239, which passed Third Reading in the House of Representatives on March 7, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 239, entitled: "A BILL FOR AN ACT RELATING TO ABOLISHMENT OF THE PREMARITAL EXAMINATION FOR SYPHILIS," passed First Reading by title and was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 40) transmitting House Bill No. 240, which passed Third Reading in the House of Representatives on March 7, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 240, entitled: "A BILL FOR AN ACT RELATING TO THE REQUIRED BLOOD SAMPLES OF PREGNANT WOMEN," passed First Reading by title and was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 41) transmitting House Bill No. 333, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 333, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed First Reading by title and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 42) transmitting House Bill No. 334, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 334, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING," passed First Reading by title and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 43) transmitting House Bill No. 337, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 337, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES AND MOPEDS," passed First Reading by title and was referred to the Committee on Transportation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 46 and 47) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 46), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE AGRICULTURAL PARKS LAW," was offered by Senator Uwaine.

By unanimous consent, S.R. No. 46 was referred to the Committee on Agriculture, then to the Committee on Legislative Management.

A resolution (S.R. No. 47), entitled: "SENATE RESOLUTION REQUESTING THE COUNTIES TO STREAMLINE DEVELOPMENT REGULATIONS AND THE

DEVELOPMENT REVIEW PROCESS," was offered by Senators Young, Uwaine, B. Kobayashi, Soares, Machida, Ajifu, Yamasaki, Cobb and Holt.

By unanimous consent, S.R. No. 47 was referred to the Committee on Housing and Urban Development.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 216) informing the Senate that Senate Resolution Nos. 46 and 47, and Standing Committee Report Nos. 217 to 220 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Mizuguchi for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 217) recommending that S.B. No. 1432, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Human Resources for further consideration.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1432, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed First Reading and was recommitted to the Committee on Human Resources for further consideration.

Senator Chang, for the majority of the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 218) recommending that Senate Bill No. 363, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 363, entitled: "A BILL FOR AN ACT RELATING TO THE FUNCTIONS OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 10, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report

(Stand. Com. Rep. No. 219) recommending that Senate Bill No. 1351, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Ecology, Environment and Recreation for further consideration.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1351, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed First Reading and was recommitted to the Committee on Ecology, Environment and Recreation.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 220) recommending that Senate Bill No. 134, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 134, entitled: "A BILL FOR AN ACT RELATING TO EXCLUSION OF STOCK FROM FOREST RESERVATIONS, GAME MANAGEMENT AREAS AND PUBLIC HUNTING AREAS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 10, 1983.

At this time, Senator Chang informed the Senators that an announcement was made this morning that the State of Hawaii Litter Campaign '83 was being started.

ADJOURNMENT

At 11:51 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 9, 1983.

THIRTIETH DAY

Wednesday, March 9, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:45 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Captain Lee M. Thompson, Chaplain, United States Air Force, after which the Roll was called showing all Senators present with the exception of Senators Ajifu and B. Kobayashi who were excused.

The Chair announced that he had read and approved the Journal of the Twenty-Ninth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Fernandes Salling introduced a group of senior citizens from Kauai stating:

"Mr. President, it is with great pleasure that I introduce to you some of my very good friends from the Island of Kauai this morning. They are a group of select senior citizens, each representing a town on the island and they've been here lobbying with many of you. You've seen them, I'm sure, in your offices during this past week."

Senator Holt then rose and stated:

"Mr. President, on behalf of the members of the Senate, I would like to present this certificate of appreciation to Mr. Clyde Yoshioka on the occasion of his retirement as Provost of Honolulu Community College, and in recognition of more than 28 years of outstanding and devoted public service to the people of Hawaii.

"Mr. Yoshioka is accompanied today by his wife Doris, and in the gallery, we have Mr. Peter Kessinger, Acting Provost for Honolulu Community College and his staff."

At 11:55 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:58 o'clock a.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 44 and

45), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 44) transmitting House Concurrent Resolution No. 23, H.D. 1, which was adopted by the House of Representatives on March 8, 1983, was placed on file.

By unanimous consent, H.C.R. No. 23, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE STATE TO NEGOTIATE LONG-TERM LEASES, PURCHASES, AND LAND EXCHANGES OF PRIVATE LAND INCLUDING LAND TAKEN OUT OF PINEAPPLE AND SUGAR PRODUCTION," was referred to the Committee on Agriculture.

A communication from the House (Hse. Com. No. 45) transmitting House Bill No. 236, which passed Third Reading in the House of Representatives on March 8, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 236, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed First Reading by title and was referred to the Committee on Hawaiian Programs, then to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 31 and 32) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 31), entitled: "SENATE CONCURRENT RESOLUTION URGING FEDERAL LEGISLATION TO REQUIRE SPECIFIC WARNINGS ON CIGARETTE PACKAGING AND ADVERTISING," was offered by Senators A. Kobayashi, Kuroda, Solomon, Machida, Yamasaki, Kawasaki, Ajifu, George, Aki, Toguchi, Hagino and Fernandes Salling.

By unanimous consent, S.C.R. No. 31 was referred to the Committee on Health.

A concurrent resolution (S.C.R. No. 32), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INVESTIGATION OF THE EFFECTS

ON THE HEALTH OF REFUSE WORKERS WHICH MAY BE CAUSED BY THEIR WORKING CONDITIONS," was offered by Senators Uwaine, Chang, Abercrombie, Aki, Machida, Fernandes Salling, Hagino, Kuroda, Mizuguchi, Yamasaki, Carpenter, Ajifu, Henderson, Soares and Toguchi.

By unanimous consent, S.C.R. No. 32 was referred to the Committee on Human Resources.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 48 to 50) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 48), entitled: "SENATE RESOLUTION URGING FEDERAL LEGISLATION TO REQUIRE SPECIFIC WARNINGS ON CIGARETTE PACKAGING AND ADVERTISING," was offered by Senators A. Kobayashi, Kuroda, Solomon, Henderson, Soares, Chang, Machida, Yamasaki, Kawasaki, Ajifu, George, Aki, Toguchi, Hagino and Fernandes Salling.

By unanimous consent, S.R. No. 48 was referred to the Committee on Health.

A resolution (S.R. No. 49), entitled: "SENATE RESOLUTION REQUESTING AN INVESTIGATION OF THE EFFECTS ON THE HEALTH OF REFUSE WORKERS WHICH MAY BE CAUSED BY THEIR WORKING CONDITIONS," was offered by Senators Uwaine, Chang, Abercrombie, Aki, Machida, Fernandes Salling, Hagino, Kuroda, Mizuguchi, Yamasaki, B. Kobayashi, Carpenter, Ajifu, Henderson, Soares and Toguchi.

By unanimous consent, S.R. No. 49 was referred to the Committee on Human Resources.

A resolution (S.R. No. 50), entitled: "SENATE RESOLUTION REQUESTING THE COUNTIES TO REVIEW CERTAIN REGULATIONS AND POLICIES," was offered by Senator Young.

By unanimous consent, S.R. No. 50 was referred to the Committee on Housing and Urban Development.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 221) informing the Senate that Senate

Concurrent Resolution Nos. 31 and 32, Senate Resolution Nos. 48 to 50, and Standing Committee Report Nos. 222 to 232 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 222) recommending that Senate Bill No. 1465, as amended in S.D. 1 pass First Reading and be recommitted to the Committee on Ways and Means for further consideration.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1465, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading and was recommitted to the Committee on Ways and Means for further consideration.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 223) recommending that Senate Bill No. 1464, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Ways and Means for further consideration.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1464, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading and was recommitted to the Committee on Ways and Means for further consideration.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 224) recommending that Senate Bill No. 4, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Ways and Means for further consideration.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 4, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS AND MAKING APPROPRIATIONS THEREFOR," passed First Reading and was recommitted to the Committee on Ways and Means for further consideration.

Senator Machida, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 225) recommending that Senate Bill No. 236, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

Senator Machida then requested that Stand. Com. Rep. No. 225 and S.B. No. 236, S.D. 1, be recommitted to the Committee on Health and the President, noting that there was no objection, so ordered.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 226) recommending that Senate Bill No. 41 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 41, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 11, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 227) recommending that Senate Bill No. 438, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 438, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALARM BUSINESSES," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 11, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 228) recommending that Senate Bill No. 1444, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Judiciary for further consideration.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1444, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," passed First Reading and was recommitted to the Committee on Judiciary for further consideration.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 229) recommending that Senate Bill No. 1339, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Consumer Protection and Commerce for further consideration.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1339, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading and was recommitted to the Committee on Consumer Protection and Commerce for further consideration.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 230) recommending that Senate Bill No. 1423, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Human Resources for further consideration.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1423, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed First Reading and was recommitted to the Committee on Human Resources for further consideration.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 231) recommending that Senate Bill No. 139, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 139, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSFER OF PARKS BETWEEN THE STATE AND THE COUNTIES," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 11, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 232) recommending that Senate Bill No. 362, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 362, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT PROGRAM OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 11, 1983.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILL

The President re-referred Senate Bill No. 640, which was introduced on Friday, February 11, 1983, to the Committee on Consumer Protection and Commerce.

MISCELLANEOUS COMMUNICATION

A communication (Misc. Com. No. 6) transmitting a report from Senator Steve Cobb regarding the issue of the Hawaii business climate was read by the Clerk and was placed on file.

At this time, Senator Cobb rose and stated:

"Mr. President, in reference to the miscellaneous communication that was just received and filed, I would like to point out a number of items in connection with that report.

"I agree with the comments that were made by several senators that a two or three days' stay in Hawaii did not constitute a sufficient background to do any investigatory article. Nevertheless, some of the problems that were touched upon by that article are deserving of a very serious and further consideration, and it was in this spirit that your Committee on Consumer Protection and Commerce conducted a public hearing on January 28th to cast the fact-gathering at as widely as possible to gather information and make recommendations on the problems that we did discover.

"I think the time for lengthy studies as to what is the problem has passed. There are a number of recommendations for specific action in this particular report, Mr. President. I hope they are acted upon this session.

"There are, of course, other recommendations that will take longer than merely this session to implement. And, it's in this spirit of cooperation that we're making copies of this

report available to the House, to the Governor and his cabinet and the special committee that he intends to appoint, as well as to all interested parties in both labor and business for resolution of some of the problems that have been pointed out.

"I think one of the more salient features of the report is the observation that some people don't seem to realize that if we have an unhealthy business climate, we also have an unhealthy labor climate, and the fortunes of the two groups are inextricably mixed, like it or not.

"Thank you."

Senator Abercrombie then rose and stated:

"Mr. President, with respect to the previous speaker's remarks, in glancing through this report, it seems to me that some of the burden, with respect to the correctives seem to fall on those who labor in this state, and what is in the public interest, as opposed to individual business interest, perhaps is not addressed in the detail which I'd like to see it.

"I note, for example, that the President of the University of Hawaii is now engaged in the time-sharing business. He's about to get into the time-sharing business along with United Airlines and the Westin Hotels. As you know, the President of the University is a member of the Board of Directors, so when we talk about the business climate, we talk about what's fair to the taxpayers of Hawaii, let's talk about how our taxes are collected.

"When we talk about tax burdens on business, let's talk about the kind of things that businesses do to avoid taxes as well. Let's talk about what we do to the ordinary working man and woman in this state. When we allow certain businesses to operate, including agribusiness and other businesses, in such a manner that we find housing and other aspects of our lives that we would like to lead here in very difficult straits.

"It's all well and good to talk about workmen's compensation; it's all very well to talk about unemployment compensation. But when we are talking about these things, let's remember that there are workers involved in these elements of our business and laboring life, and that the day the State of Hawaii begins to 'turn the screws' on the workers is the day when the State of Hawaii

begins going backward in time."

At this time, Senator Carpenter, chairman of the Committee on Judiciary, requested a waiver of the 48-hour notice of a Public Hearing on Senate Bill No. 1444, S.D. 1, entitled, "A BILL FOR AN ACT RELATING TO FAMILY COURTS," and the President granted the waiver.

Senator Kawasaki then rose and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, in view of this Senate's involvement in bills dealing with statutes that we enacted providing special immunity legislation for the newspaper industry, I believe that it is very appropriate that we enter into the pages of the Senate Journal some very meaningful, relevant, and timely comments made in a speech at the University of Hawaii by Mr. David Shaw, who is a nationally known media critic and who has written widely on the ethical problems of journalism.

"As a reporter and media critic, Mr. Shaw has won thirteen first-place awards in competitions sponsored by the Los Angeles Times Press Club. And, the morning paper's coverage of an article entitled, 'The Press has ethics problems, critic says,'...Mr. Shaw's speech in the morning paper reads as follows, which I think is very relevant:

'According to media critic David Shaw, "the arrogance of the press may be one of the greatest ethical problems we, as an institution, face today."

'In a University of Hawaii speech yesterday, the Los Angeles Times writer applauded those newspapers that have ombudsmen writing about newspaper policy for their readers, but he said that's not nearly enough.'

"Public opinion polls consistently show that people trust us [newspapers] less and less, and our own personal experience should tell us that they like us less and less. There are complex reasons for this, but I think our refusal to be more forthcoming,...I believe that this word is a misprint, I think it should be forthright...'about our shortcomings is one of these reasons -- an important one."

"And if I may add a personal comment here, I believe we found

evidence of the people's distrust of the morning paper's judgment and motivation in the overwhelming election of Senator Abercrombie by an almost two-to-one margin over his opponent who was particularly favored by the morning newspaper in an unprecedented Advertiser editorial Senate race endorsement."

Senator Soares then interjected:

"Mr. President, I rise on a point of order. I don't think that last comment was necessary...about a two-to-one victory over a person who was favored by the Advertiser."

Senator Kawasaki then stated:

"If I may continue, Mr. President, the article states:

"There are many other, extremely important ethical problems that individual reporters and editors must deal with every day," he noted, such as, "the continuing over-reliance of the press on unnamed sources; the willingness of some reporters to lie, steal and misrepresent themselves in the pursuit of a story..."

"I must say to the credit of the local working press, reporters that I don't believe there has been a single case that I know of, where this has happened. There has been great abuse on the part of the editors, on the part of the newspaper owners, but not really on the part of the working press reporters.

"It goes on to state:

"...the use and abuse of political polls; the rush to get a story first rather than to get it right; conflict of interest;..."

"May I add a comment here to talk about a conflict of interest so far as the newspapers go on their suit with the City, I think that was a flagrant case in the way they covered the issue, so far as the issue of conflict of interest was concerned.

"...invasion of privacy; checkbook journalism; blatant oversimplification; and plagiarism."

"I don't believe any of our reporters are guilty of plagiarism here. He went on to say that:

'Another major ethical problem -- "the one that presupposes all else," Shaw said -- is "the unwillingness of so many publishers to sacrifice even a small measure of their large

profits..." [In the local case, I must say, tremendous profits,] "...to produce quality newspapers, with quality staffs and news-holes large enough to provide the reader with the information and insight he or she needs to function as an intelligent, informed adult in today's increasingly complex society."

"I believe all of these comments made to the University of Hawaii journalism majors are extremely timely. I hope that the newspapers take heed of perhaps the nation's outstanding media critic in the sermon that he has to offer them, and particularly the morning newspaper."

The President then stated:

"The Chair would like to remind the

Senators that very quickly coming upon us is our decking for Monday, and the Chair would like to suggest and ask for your cooperation on Friday, by making sure that you'll be available for signatures on committee reports, particularly on Friday.

"I would like to see everyone here Friday so we can get the printing done over the weekend and be on schedule on Monday."

ADJOURNMENT

At 12:15 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 10, 1983.

THIRTY-FIRST DAY

Thursday, March 10, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:45 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Harvey Angel, Pastor of First Baptist Church of Haleiwa, after which the Roll was called showing all Senators present with the exception of Senators Ajifu, Fernandes Salling, Holt, Kawasaki, B. Kobayashi, Kuroda, Solomon, Yamasaki and Young who were excused.

The Chair announced that he had read and approved the Journal of the Thirtieth Day.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 161), dated February 25, 1983, transmitting for consideration a proposal for a senate concurrent resolution to amend Executive Order No. 1446, which was signed in 1951, to set aside state land to the City and County of Honolulu for "Memorial Park and Natatorium," was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 46 to 49), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 46) returning Senate Concurrent Resolution No. 1, which was adopted by the House of Representatives on March 9, 1983, was placed on file.

A communication from the House (Hse. Com. No. 47) transmitting House Bill No. 210, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 210, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHICKEN EGGS," passed First Reading by title and was referred to the Committee on Agriculture.

A communication from the House (Hse. Com. No. 48) transmitting House Bill No. 882, which passed Third Reading in the House of Representatives on March 9, 1983, was

placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 882, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 49) transmitting House Concurrent Resolution No. 117, which was adopted by the House of Representatives on March 9, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 117, entitled: "HOUSE CONCURRENT RESOLUTION PRAISING AND COMMENDING THE ETHNIC STUDIES PROGRAM AT THE UNIVERSITY OF HAWAII AT MANOA FOR ITS STEADY ACADEMIC IMPROVEMENT DURING THE PAST THREE YEARS," was adopted.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 33 to 41) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 33), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STUDY OF A RESIDENTIAL PROPERTY TRANSFER CODE," was offered by Senators Cobb, Chang, B. Kobayashi, Cayetano, Hagino and Uwaine.

By unanimous consent, S.C.R. No. 33 was referred to the Committee on Consumer Protection and Commerce.

A concurrent resolution (S.C.R. No. 34), entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP THROUGH PRIVATE DEVELOPERS AND CAPITAL CERTAIN LANDS FOR CERTAIN ENUMERATED PURPOSES," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 34 was referred to the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 35), entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE DEPARTMENT OF

LAND AND NATURAL RESOURCES' INTENT TO EXPAND THE USE OF CONCESSION AGREEMENTS TO DEVELOP AND OPERATE CAMPING AND CABIN RENTAL FACILITIES IN CERTAIN STATE PARKS," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 35 was referred to the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 36), entitled: "SENATE CONCURRENT RESOLUTION CONCURRING WITH THE AMENDMENT OF EXECUTIVE ORDER NO. 1446 COVERING THE WAIKIKI WAR MEMORIAL PARK AND NATATORIUM," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 36 was referred to the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 37), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE NECESSITY AND FEASIBILITY OF A COMPREHENSIVE REVIEW OF THE HAWAII INSURANCE LAWS," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 37 was referred to the Committee on Consumer Protection and Commerce.

A concurrent resolution (S.C.R. No. 38), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO REVIEW THE IMPLEMENTATION AND ADMINISTRATION OF THE PILOTAGE LAW," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 38 was referred to the Committee on Consumer Protection and Commerce.

A concurrent resolution (S.C.R. No. 39), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO A POLICY ON LONG TERM CARE FOR THE ELDERLY," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 39 was referred to the Committee on Youth and Elderly Affairs.

A concurrent resolution (S.C.R. No. 40), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE TAX REVIEW COMMISSION," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 40 was referred to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 41), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON IMPROVING AIR CARRIER SERVICE FOR MOVING DIVERSIFIED HAWAII AGRICULTURAL PRODUCTS," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 41 was referred to the Committee on Transportation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 51 and 52) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 51), entitled: "SENATE RESOLUTION REQUESTING THE STUDY OF A RESIDENTIAL PROPERTY TRANSFER CODE," was offered by Senators Cobb, Chang, B. Kobayashi, Cayetano, Carpenter, Machida, Hagino, Toguchi, Uwayne and Yamasaki.

By unanimous consent, S.R. No. 51 was referred to the Committee on Consumer Protection and Commerce.

A resolution (S.R. No. 52), entitled: "SENATE RESOLUTION URGING EMPLOYERS TO DEVELOP POLICIES TO RETAIN, HIRE, AND PROMOTE OLDER WORKERS," was offered by Senators Solomon, Toguchi, Kuroda, Holt, Young, Uwayne, George and Mizuguchi.

By unanimous consent, S.R. No. 52 was referred to the Committee on Youth and Elderly Affairs.

STANDING COMMITTEE REPORTS

Senator Cobb, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 233) informing the Senate that Senate Concurrent Resolution Nos. 33 to 41, Senate Resolution Nos. 51 and 52, and Standing Committee Report Nos. 234 to 252 have been printed and have been distributed to the members of the Senate.

On motion by Senator Cobb, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Cobb, for the Committee on

Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 234) recommending that Senate Bill No. 21, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 21, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUND RAISING," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 235) recommending that Senate Bill No. 242 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 242, entitled: "A BILL FOR AN ACT RELATING TO PILOTAGE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 236) recommending that Senate Bill No. 247, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

Senator Cobb then moved that Stand. Com. Rep. No. 236 and S.B. No. 247, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE AND COLLECTION SERVICING AGENTS," be recommitted to the Committee on Consumer Protection and Commerce, seconded by Senator Soares and carried.

Senator Machida, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 237) recommending that Senate Bill No. 121 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 121, entitled: "A BILL FOR AN ACT RELATING TO THE CONTROL OF TUBERCULOSIS," passed Second Reading and was placed on the

calendar for Third Reading on Monday, March 14, 1983.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 238) recommending that Senate Bill No. 129 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 129, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 239) recommending that Senate Bill No. 670 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 670, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 240) recommending that Senate Bill No. 124 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 124, entitled: "A BILL FOR AN ACT RELATING TO THE REQUIRED BLOOD SAMPLES OF PREGNANT WOMEN," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 241) recommending that Senate Bill No. 822, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 822, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEVELOPMENTAL DISABILITIES COUNCIL," passed Second Reading and was placed on

the calendar for Third Reading on Monday, March 14, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 242) recommending that Senate Bill No. 498, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 498, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 243) recommending that Senate Bill No. 79, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 79, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JURY DUTY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 244) recommending that Senate Bill No. 290, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 290, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUITS BETWEEN SPOUSES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 245) recommending that Senate Bill No. 1152, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B.

No. 1152, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 7, OF THE HAWAII CONSTITUTION, TO DELETE THE REQUIREMENT OF RESIGNATION FROM PRESENT OFFICE TO BECOME A CANDIDATE FOR ANOTHER OFFICE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 246) recommending that Senate Bill No. 255, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 255, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS BROUGHT INTO THE STATE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 247) recommending that Senate Bill No. 605, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 605, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 248) recommending that Senate Bill No. 980, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 980, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY HOSPITALS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com.

Rep. No. 249) recommending that Senate Bill No. 1337, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Consumer Protection and Commerce for further consideration.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1337, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USURY," passed First Reading and was recommitted to the Committee on Consumer Protection and Commerce for further consideration.

Senator Fernandes Salling, for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 250) recommending that Senate Bill No. 618, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 618, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS' TRUSTEES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Fernandes Salling, for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 251) recommending that Senate Bill No. 722, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 722, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Fernandes Salling, for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 252) recommending that Senate Bill No. 920, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 920, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS

AMENDED," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

At 11:57 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:58 o'clock a.m.

ORDER OF THE DAY

THIRD READING

Senate Bill No. 363:

On motion by Senator Chang, seconded by Senator Hagino and carried, S.B. No. 363, entitled: "A BILL FOR AN ACT RELATING TO THE FUNCTIONS OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, none. Excused, 9 (Ajifu, Fernandes Salling, Holt, Kawasaki, B. Kobayashi, Kuroda, Solomon, Yamasaki and Young).

Senate Bill No. 134:

On motion by Senator Chang, seconded by Senator Hagino and carried, S.B. No. 134, entitled: "A BILL FOR AN ACT RELATING TO EXCLUSION OF STOCK FROM FOREST RESERVATIONS, GAME MANAGEMENT AREAS AND PUBLIC HUNTING AREAS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, none. Excused, 9 (Ajifu, Fernandes Salling, Holt, Kawasaki, B. Kobayashi, Kuroda, Solomon, Yamasaki and Young).

At 12:00 o'clock noon, the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:04 o'clock p.m.

At this time, Senator Carpenter, Chairman of the Committee on Judiciary, requested a waiver of the 48-hour notice of a Public Hearing on the following measures:

S.B. No. 127, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS";

S.B. No. 1100, entitled: "A BILL

FOR AN ACT RELATING TO
DRUGS"; and

S.B. No. 1282, entitled: "A BILL
FOR AN ACT RELATING TO
MENTAL HEALTH,"

and the President granted the waiver.

ADJOURNMENT

At 12:06 o'clock p.m., on motion by
Senator Cobb, seconded by Senator
Soares and carried, the Senate
adjourned until 11:30 o'clock a.m.,
Friday, March 11, 1983.

THIRTY-SECOND DAY

Friday, March 11, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Clyde Guerreiro, Pastor, St. Michael's Church, after which the Roll was called showing all Senators present with the exception of Senators Ajifu, Holt and Solomon who were excused.

The Chair announced that he had read and approved the Journal of the Thirty-First Day.

At this time, the following introductions were made to the members of the Senate:

Senator Carpenter, on behalf of the Senate, introduced visitors from Tennessee, Mr. and Mrs. Charles Corneliuss.

Senator Carpenter, on behalf of the Senators from the Big Island, then introduced the BIIF champions, the Kohala Varsity Basketball Team, accompanied by their coach, Mr. Joe Mattos and a parent, Mr. Edward Roxburgh.

Senator Toguchi then introduced a group of 160 students from Kahuku High and Elementary School, accompanied by their teachers, Mr. Irvine Richards, Miss Danielle Barth, Mr. Tauati Taulogo, and parents, Mrs. Feliciana Cartwright and Mrs. Ann Giese.

Senator Young then introduced a group of 20 students from Ilima Intermediate School in Ewa Beach, accompanied by their teachers, Mr. Takaki, Miss Wakabayashi and Miss Liu.

Senator Hagino then introduced a group of 35 students from the Storefront Program in Wahiawa, accompanied by five staff members, Ann Kitaguchi, Randy Bisho, Nicky Wagner, Dwayne Abe, and Collette Toma.

Senator Abercrombie then rose and stated:

"Mr. President, I have a particular pleasure this morning. As everyone knows, I was not born in Hawaii. With billions of people on this planet, God obviously makes mistakes on occasion, so I was born in Buffalo,

New York, and God trusted that I would have enough sense, as soon as I could get out, to come to Hawaii and inflict myself on everybody in this state as a test of their moral fibre.

"And, in the process of growing up, of course, we all make friends, and as we go about our tasks in life, sometimes we don't have the opportunity to see them very often. And so, today it's an honor and a privilege for me to be able to introduce my best friend in high school whom I've hardly had the opportunity to see for 25 years.

"He's been travelling all over the world in the service of our nation in the Air Force and today he is a great success in life, as opposed to me. He was the tackle when I was the guard in our championship football team 25 years ago, and went on to as I say, great success in the Air Force.

"So, Mr. President, it is my pleasure to present to you today, Colonel Bill Keaton from Travis Air Force Base and his wife, Mary."

At this time, the following Senators introduced their respective "shadows" participating in the University of Hawaii, Hawaii Cooperative Extension Service (HCES), Family Community Leadership Career Shadowing Program:

Senator Toguchi - Mrs. Cecelia Leong;

Senator Machida - Mrs. Harriet Kawai;

Senator Cobb - Mrs. Doris Char;

Senator Carpenter - Mrs. Lillian Kawagoe;

Senator Chang - Mrs. Doris Correia;

Senator George - Mrs. Edwina Tupman;

Senator Aki - Mrs. Levaina Hanakahi; and

Senator A. Kobayashi - Mrs. Martha Nakaya.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 162 to

210) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 162) submitting for consideration and confirmation to the Advisory Committee on Agricultural Products, the nomination of Stanley T. Tomono, term to expire December 31, 1984, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 163) submitting for consideration and confirmation to the Board of Public Accountancy, the nominations of David Cheever and Howard R. Hanada, terms to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 164) submitting for consideration and confirmation to the Board of Acupuncture, the nomination of Mike M. Hashimoto, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 165) submitting for consideration and confirmation to the Boxing Commission, the nomination of George Kaahanui, Jr., term to expire December 31, 1984, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 166) submitting for consideration and confirmation to the CATV Advisory Committee, the nominations of Henry Joseph Ellis, Jr. and Mitsuru Mitchell Ouye, terms to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 167) submitting for consideration and confirmation to the Contractors License Board, the nomination of Wilbert S. Toma, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 168) submitting for consideration and confirmation to the Board of Cosmetology, the nomination of Edna H. Kano, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 169) submitting for consideration and confirmation to the

Credit Union Review Board, the nominations of Milton W.Y. Lum, Helen Smith and Leslie Yaka, terms to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 170) submitting for consideration and confirmation to the Board of Electricians and Plumbers, the nominations of Bernard T. Miura and Leo Polo, Jr., terms to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 171) submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, the nominations of Joseph Walsh Hanley and Shozo Sato, terms to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 172) submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nominations of Raymond S.Y. Luke and Van H. Takemoto, terms to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 173) submitting for consideration and confirmation to the Board of Examiners in Optometry, the nomination of Dewey W.K. Tom, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 174) submitting for consideration and confirmation to the Board of Pharmacy, the nomination of Harold Yoshio Kawaguchi, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 175) submitting for consideration and confirmation to the Board of Certification for Practicing Psychologists, the nominations of the following:

Jane Hardy Jones, Ed.D, term to expire December 31, 1986;

Joel Albert Dunston, term to expire December 31, 1985; and

Faith Okihiro Lebb, term to expire December 31, 1986,

was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 176) submitting for consideration and confirmation to the Board of Veterinary Examiners, the nominations of Allen Y. Miyahara, D.V.M. and David Bard Mackay, D.V.M., terms to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 177) submitting for consideration and confirmation to the Animal Species Advisory Commission, the nomination of Tonnie Laura Colleen Casey, term to expire December 31, 1983, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 178) submitting for consideration and confirmation to the Aquatic Life and Wildlife Advisory Committee, City and County of Honolulu, the nomination of Bert H. Nagai, term to expire December 31, 1986, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 179) submitting for consideration and confirmation to the Aquatic Life and Wildlife Advisory Committee, County of Hawaii, the nominations of George C. Wilkins and Eric M. Takata, terms to expire December 31, 1986, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 180) submitting for consideration and confirmation to the Aquatic Life and Wildlife Advisory Committee, County of Maui, the nominations of the following:

Haruo Nakagawa, term to expire December 31, 1986; and

Sherman N. Thompson, term to expire December 31, 1985,

was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 181) submitting for consideration and confirmation to the Aquatic Life and Wildlife Advisory Committee, County of Kauai, the nomination of Trinidad A. Raval, term to expire December 31, 1986, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 182) submitting for consideration and confirmation to the Board of Planning and Economic Development, the nomination of Keith K. Crosson, term to expire December 31, 1986, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. No. 183) submitting for consideration and confirmation to the Hawaii Fisheries Coordinating Council, the nomination of Joseph "Dolly" Makua, term to expire December 31, 1986, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 184) submitting for consideration and confirmation to the Hawaii Education Council, the nominations of Cecilia C. Villafuerte, Mary Anne Migan and Hiroshi Yamashita, terms to expire December 31, 1986, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 185) submitting for consideration and confirmation to the Education Commission of the States, the nomination of John A. Thompson, term to expire December 31, 1983, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 186) submitting for consideration and confirmation to the Library Advisory Commission, City and County of Honolulu, the nominations of the following:

Betty Hemphill, term to expire December 31, 1983;

Ethelreda R. Kahalewai, term to expire December 31, 1985;

Roy J. Hutchinson, term to expire December 31, 1986; and

K. Russell Ho, term to expire December 31, 1986,

was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 187) submitting for consideration and confirmation to the Civil Defense Advisory Council, the nomination of Roland D. Sagun, term to expire December 31, 1986, was referred to the Committee on Federal Relations.

A message from the Governor (Gov. Msg. No. 188) submitting for consid-

eration and confirmation to the Statewide Health Coordinating Council, the nominations of Dean Jerrold Michael, Mark M. Hamasaki and Pauline W. Yim, terms to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 189) submitting for consideration and confirmation to the Advisory Commission on Drug Abuse and Controlled Substances, the nomination of Maurice Morita, term to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 190) submitting for consideration and confirmation to the Drug Product Selection Board, the nomination of Nellie S. Chang, term to expire December 31, 1984, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 191) submitting for consideration and confirmation to the Commission on the Handicapped, the nomination of Vincent H.S. Lee, term to expire December 31, 1984, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 192) submitting for consideration and confirmation to the State Emergency Medical Services Advisory Committee, the nominations of the following:

Peter Halford, M.D., term to expire December 31, 1985;

Douglas M. Rogers, M.D., term to expire December 31, 1986; and

James S. Maeda, term to expire December 31, 1986,

was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 193) submitting for consideration and confirmation to the County Hospital Management Advisory Committee, Hawaii County Hospital System, the nomination of Reginald S. Carvalho, term to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 194) submitting for consideration and confirmation to the County Hospital Management Advisory Committee, Maui County Hospital System, the nominations of Donald K. Matsui and Elmer J. Ching, terms to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 195) submitting for consideration and confirmation to the County Hospital Management Advisory Committee, Kauai County Hospital System, the nominations of Stanley M. Shimabukuro and Evelyn Y. Olores, terms to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 196) submitting for consideration and confirmation to the Hawaii Housing Authority, the nomination of William A. Knutson, term to expire December 31, 1983, was referred to the Committee on Housing and Urban Development.

A message from the Governor (Gov. Msg. No. 197) submitting for consideration and confirmation to the Civil Service Commission, the nomination of Dennis G. Aguiar, term to expire December 31, 1986, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 198) submitting for consideration and confirmation to the Advisory Commission on Manpower and Full Employment, the nominations of the following:

Tom Foye, term to expire June 30, 1984;

William Y. Yamada, term to expire June 30, 1986;

William F. Murray, Ed.D., term to expire June 30, 1986;

Betty S.J. Chung, term to expire June 30, 1986;

Joseph Jay Furfaro, term to expire June 30, 1985; and

Rowena L. Blaisdell, term to expire June 30, 1986,

was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 199) submitting for consideration and confirmation to the Board of Trustees for the Deferred Compensation Plan, the nomination of Valri Lei Kunimoto, term to expire October 27, 1986, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 200) submitting for consideration and confirmation to the Board of Vocational Rehabilitation, the nominations of the following:

Sally Ann Price, term to expire December 31, 1985;

Richard Y. Suehiro, term to expire December 31, 1986; and

Bobby G. Smith, term to expire December 31, 1986,

was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 201) submitting for consideration and confirmation to the Criminal Injuries Compensation Commission, the nomination of Gilbert Lee, term to expire December 31, 1986, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 202) submitting for consideration and confirmation to the Juvenile Justice Interagency Board, the nomination of Charles M.L.S. Nakoa, term to expire December 31, 1986, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 203) submitting for consideration and confirmation to the Board of Registration, Maui, Molokai, Lanai and Kahoolawe, the nomination of Sanford S. Sakumoto, term to expire December 31, 1986, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 204) submitting for consideration and confirmation to the Board of Taxation Review, First Taxation District, the nomination of Frank K. Hamada, term to expire December 31, 1986, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 205) submitting for consideration and confirmation to the Board of Taxation Review, First Taxation District, the nomination of Herbert A.B. Chang, term to expire December 31, 1986, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 206) submitting for consideration and confirmation to the Board of Taxation Review, Second Taxation District, the nomination of Victor I. Endo, term to expire December 31, 1986, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 207) submitting for consideration and confirmation to the Board of Taxation Review, Third Taxation

District, the nomination of Brian J. Ikawa, term to expire December 31, 1986, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 208) transmitting the Second Annual Report, Aloha Tower Development Corporation, Year Ending December 31, 1982, submitted pursuant to the provisions of Section 206J-19, HRS, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 209) transmitting a report prepared by the Department of Planning and Economic Development, entitled: "Economic Planning Information System (EPIS), Status Report to the Twelfth Legislature, State of Hawaii, 1983 Regular Session," January 1983, submitted pursuant to Section 88A, Act 264, SSLH, 1982, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 210) transmitting the Annual Report of the Executive Office on Aging, October 1, 1981 - September 30, 1982, was referred to the Committee on Youth and Elderly Affairs.

DEPARTMENTAL COMMUNICATION

A communication from the Office of the Auditor (Dept. Com. No. 31) transmitting copies of a report entitled: "Progress Report on the Public Land Trust, Act 121, Session Laws of Hawaii 1982," Report No. 83-13, March 1983, was read by the Clerk and was referred to the Committee on Economic Development.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 50 to 60), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 50) transmitting House Bill No. 44, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 44, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PLANNING AND DEVELOPMENT," passed First Reading by title and was referred to the Committee on Agriculture.

A communication from the House (Hse. Com. No. 51) transmitting House Bill No. 80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 52) transmitting House Bill No. 177, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 177, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 53) transmitting House Bill No. 288, which passed Third Reading in the House of Representatives on March 10, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 288, entitled: "A BILL FOR AN ACT RELATING TO CHIROPRACTIC," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 54) transmitting House Bill No. 318, which passed Third Reading in the House of Representatives on March 10, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 318, entitled: "A BILL FOR AN ACT RELATING TO THE DUTY OF SUPPORT," passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 55) transmitting House Bill No. 319, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 319, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed First Reading by title and was referred to the Committee on Housing and Urban Development.

A communication from the House (Hse. Com. No. 56) transmitting House Bill No. 321, which passed Third Reading in the House of Representatives on March 10, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 321, entitled: "A BILL FOR AN ACT RELATING TO VISITATION AND SUPPORT," passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 57) transmitting House Bill No. 340, which passed Third Reading in the House of Representatives on March 10, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 340, entitled: "A BILL FOR AN ACT RELATING TO ACUPUNCTURE PRACTITIONERS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 58) transmitting House Bill No. 659, which passed Third Reading in the House of Representatives on March 10, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 659, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 59) transmitting House Bill No. 687, which passed Third Reading in the House of Representatives on March 10, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 687, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," passed First Reading by title and was referred to the

Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 60) transmitting House Bill No. 890, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 890, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER RESTRAINTS," passed First Reading by title and was referred to the Committee on Transportation.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 42 and 43) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 42), entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE UNITED STATES CATHOLIC BISHOPS PEACE-MAKING EFFORTS," was offered by Senators Kawasaki, Soares, Toguchi, B. Kobayashi, Carpenter, Abercrombie, Machida, Ajifu, Chang, Holt and Cayetano.

By unanimous consent, S.C.R. No. 42 was referred to the Committee on Federal Relations.

A concurrent resolution (S.C.R. No. 43), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES GENERAL SERVICES ADMINISTRATION TO POSTPONE THE SALE OF CAMP MALAKOLE AT CAMPBELL INDUSTRIAL PARK, EWA BEACH, OAHU," was offered by Senators Aki, Kuroda, Solomon, Henderson, Yamasaki, Young, Abercrombie, Soares, Machida, George, A. Kobayashi, Uwayne, Fernandes Salling, Mizuguchi, B. Kobayashi and Chang.

By unanimous consent, S.C.R. No. 43 was referred to the Committee on Ecology, Environment and Recreation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 53 to 55) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 53), entitled: "SENATE RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES AND THE PRESIDENT OF THE UNITED STATES

TO ENSURE THE RELEASE OF \$7,000,000 APPROPRIATED BY CONGRESS TO ASSIST HAWAII DAIRY FARMERS UNDER THE DAIRY INDEMNITY PROGRAM," was offered by Senators Toguchi and Aki.

By unanimous consent, S.R. No. 53 was referred to the Committee on Agriculture.

A resolution (S.R. No. 54), entitled: "SENATE RESOLUTION SUPPORTING THE UNITED STATES CATHOLIC BISHOPS PEACE-MAKING EFFORTS," was offered by Senators Kawasaki, Soares, Toguchi, B. Kobayashi, Ajifu, Holt, Cayetano, Machida, Chang, Abercrombie and Carpenter.

By unanimous consent, S.R. No. 54 was referred to the Committee on Federal Relations.

A resolution (S.R. No. 55), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO CONDUCT A STUDY EVALUATING THE ANIMAL QUARANTINE REGULATIONS," was offered by Senators Toguchi, Solomon, Young, Uwayne, Machida, Aki, Kawasaki, Carpenter, Yamasaki and Fernandes Salling.

By unanimous consent, S.R. No. 55 was referred to the Committee on Agriculture.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 253) informing the Senate that Governor's Message Nos. 162 to 207, Senate Concurrent Resolution Nos. 42 and 43, Senate Resolution Nos. 53 to 55 and Standing Committee Report Nos. 254 to 288 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 254) recommending that Senate Bill No. 761 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 761, entitled: "A BILL FOR AN ACT

RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 255) recommending that Senate Bill No. 222, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 222, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALES AND TRANSFERS OF REAL PROPERTY SITUATED IN FLOOD AREAS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 256) recommending that Senate Bill No. 179, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 179, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS AND SOLICITORS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 257) recommending that Senate Bill No. 40 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 40, entitled: "A BILL FOR AN ACT RELATING TO ACCOUNTANTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 258) recommending that Senate Bill No. 891, S.D. 1, as amended in S.D. 2,

pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 258 and S.B. No. 891, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF NEGOTIATED SETTLEMENT BETWEEN RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII AND HAWAIIAN DREDGING AND CONSTRUCTION COMPANY," was deferred until Monday, March 14, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 259) recommending that Senate Bill No. 941 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 941, entitled: "A BILL FOR AN ACT RELATING TO USE TAX OVERPAYMENTS BY GENERAL MOTORS DEALERSHIPS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 260) recommending that Senate Bill No. 387, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 260 and S.B. No. 387, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF PINEAPPLES," was deferred until Monday, March 14, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 261) recommending that Senate Bill No. 385, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 261 and S.B. No. 385, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," was deferred until Monday, March 14, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 262) recommending that Senate Bill No. 210 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 210, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 263) recommending that Senate Bill No. 109, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 109, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 264) recommending that Senate Bill No. 211 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 211, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 265) recommending that Senate Bill No. 521 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 521, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 266) recommending that Senate Bill No. 502, as amended in S.D. 1, pass

Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 502, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 267) recommending that Senate Bill No. 1275, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1275, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 268) recommending that Senate Bill No. 379, as amended in S.D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 379, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX LAW," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 269) recommending that Senate Bill No. 147 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 147, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 270) recommending that Senate Bill No. 149

pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 149, entitled: "A BILL FOR AN ACT RELATING TO LEAVES OF ABSENCE OF PUBLIC OFFICERS AND EMPLOYEES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 271) recommending that Senate Bill No. 507, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 507, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAGE AND HOUR LAW," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 272) recommending that Senate Bill No. 508 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 508, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 273) recommending that Senate Bill No. 509 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 509, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 274) recommending that Senate Bill No. 510

pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 510, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Mizuguchi, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 275) recommending that Senate Bill No. 511 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 511, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 276) recommending that Senate Bill No. 448, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 448, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 277) recommending that Senate Bill No. 292, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 292, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPARATIVE NEGLIGENCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report

(Stand. Com. Rep. No. 278) recommending that Senate Bill No. 480, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 480, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 279) recommending that Senate Bill No. 1187 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1187, entitled: "A BILL FOR AN ACT RELATING TO TORT ACTIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Toguchi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 280) recommending that Senate Bill No. 650, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 650, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POULTRY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 281) recommending that Senate Bill No. 247, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 247, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE AND COLLECTION SERVICING AGENTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 282) recommending that Senate Bill No. 185, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 185, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF PHARMACY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 283) recommending that Senate Bill No. 198 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 198, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 284) recommending that Senate Bill No. 204 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 204, entitled: "A BILL FOR AN ACT RELATING TO VISITATION AND SUPPORT," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 285) recommending that Senate Bill No. 343, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 343, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES," passed Second Reading and was

placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 286) recommending that Senate Bill No. 519 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 519, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 287) recommending that Senate Bill No. 1372, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Education for further consideration.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1372, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," passed First Reading and was recommitted to the Committee on Education for further consideration.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 288) recommending that Senate Bill No. 133, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 133, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION OF AQUATIC LIFE, WILDLIFE AND PLANTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

RECONSIDERATION OF ACTION TAKEN

Senator Machida moved that the Senate reconsider its action taken on March 10, 1983 on Stand. Com. Rep. No. 239 and S.B. No. 670, seconded by Senator Young and carried.

Senator Machida then requested that Stand. Com. Rep. No. 239 and S.B.

No. 670, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," be recommitted to the Committee on Health for further consideration, and the President, noting that there was no objection, so ordered.

ORDER OF THE DAY

THIRD READING

Senate Bill No. 41:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 41, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ajifu, Holt and Solomon).

Senate Bill No. 438, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 438, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALARM BUSINESSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ajifu, Holt and Solomon).

Senate Bill No. 139, S.D. 1:

On motion by Senator Chang, seconded by Senator Hagino and carried, S.B. No. 139, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSFER OF PARKS BETWEEN THE STATE AND THE COUNTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ajifu, Holt and Solomon).

Senate Bill No. 362, S.D. 1:

Senator Chang moved that S.B. No. 362, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hagino.

At this time, Senator Abercrombie rose to speak against the bill stating:

"Mr. President, I regret that I have to rise and speak in opposition to this bill. As you know, we have not discussed any of these bills on Third Reading and I was unable to find the chairman prior to this session, so I'm in a position of having to

ask the members to vote against it.

"The bill ostensibly tightens enforcement of the Department of Land and Natural Resources. Unfortunately it allows the Department of Land and Natural Resources to confiscate property used in the violation of Department of Land and Natural Resources rules. Now this is not necessarily a criminal offense, as I read the bill. It says, just rules, and it keeps the property without auctioning it off.

"I would hate to be in the position of having some property where somebody in DLNR decides that a rule has been broken, and next thing I have a four-wheel-drive automobile or truck that has been confiscated by the Department of Land and Natural Resources, and then it becomes somebody's property.

"Ordinarily, you would sell these ...and the bill shows, ordinarily you would sell them in public auction in the judicial circuit in which it was seized. But the new language says it '...may be kept and retained and utilized by the Department of Land and Natural Resources or, if not needed or required by the Department, shall be sold at public auction.'

"It leaves it up to the Department to decide whether they are required or whether it meets some requirement. That means an individual in the Department of Land and Natural Resources will be making that kind of decision, which is essentially almost, in my judgment, a judicial system. It involves something which in other circumstances would come in the area of criminal enterprise.

"Now if there is a criminal situation taking place, that's one thing and should be handled under the criminal statutes, but if it's a rule violation and you're going to start confiscating people's private property, and I don't know as to how the rule violation is to be adjudicated one way or another, may be a difference of opinion. And if property is seized...it seems to me that it's an invitation to people to try and get something that is fairly attractive for them to have.

"Now, if this kind of situation can be answered satisfactorily, I might change my mind, but as I say, I'm in a difficult position, not having served in the committee, but of having to try and make a decision on what's before me on the wording as it appears in the bill."

By unanimous consent, action on

S.B. No. 362, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT PROGRAM OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was deferred until Monday, March 14, 1983.

At this time, Senator Soares rose and stated:

"Mr. President, a point of clarification. We're going to come back this afternoon and again for Monday's deadline for the last day of the decking of the bills. That deadline will be as firm as far as both houses are concerned, or are we back to the same old deadlines and so forth."

The President replied:

"Yes, we will be decking on Monday and I am told that the House will be decking some of their bills today.

Senator Soares then stated:

"Thank you, Mr. President."

The President then stated:

"I'd like to ask all the Senators to remain in the chambers for the purpose of signing committee reports. For those committee chairmen who have signed reports ready, we would like to have those submitted to the Clerk by 1:30 p.m. this afternoon. This will help us to minimize the logjam that will take place on Monday.

"So, for all committee chairmen who have committee reports for signature, I would like to have the Senators to remain for a few minutes to sign those that are available. We'll have those printed and we will reconvene at 4:30 p.m. today.

At 12:05 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate stood in recess until 4:30 o'clock p.m.

AFTERNOON SESSION

The Senate reconvened at 5:15 o'clock p.m.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 289) recommending that Senate Bill No. 153, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, sec-

oned by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 153, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE APPOINTMENT OF MEMBERS TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 290) recommending that Senate Bill No. 202, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 202, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 291) recommending that Senate Bill No. 254, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 254, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE HOUSING PROJECTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 292) recommending that Senate Bill No. 328, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 328, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Young, for the Committee

on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 293) recommending that Senate Bill No. 520 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 520, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 294) recommending that Senate Bill No. 676, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 676, S.D. 1, entitled: "A BILL FOR AN ACT AMENDING SECTION 46-6, HAWAII REVISED STATUTES, RELATING TO PARKS AND PLAYGROUNDS FOR SUBDIVISIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 295) recommending that Senate Bill No. 703, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 703, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 296) recommending that Senate Bill No. 969 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 969, entitled: "A BILL FOR AN ACT RELATING TO

COUNTIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 297) recommending that Senate Bill No. 971 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 971, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTUAL EMPLOYEES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 298) recommending that Senate Bill No. 1045 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1045, entitled: "A BILL FOR AN ACT RELATING TO FEDERALLY CONNECTED STUDENTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 299) recommending that Senate Bill No. 723 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 723, entitled: "A BILL FOR AN ACT RELATING TO KAUAI COUNTY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 300) recommending that Senate Bill No. 203 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 203, entitled: "A BILL FOR AN ACT RELATING TO

PUBLIC ASSISTANCE FOR CHILDREN," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 301) recommending that Senate Bill No. 209 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 209, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 302) recommending that Senate Bill No. 492, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 492, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 303) recommending that Senate Bill No. 1186, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1186, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS JURISDICTION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 304) recommending that Senate Bill No. 80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was

adopted and S.B. No. 80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 305) recommending that Senate Bill No. 481, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 481, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 306) recommending that Senate Bill No. 627, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 627, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, SEPARATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 307) recommending that Senate Bill No. 669, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 669, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 308) recommending that Senate Bill No. 123, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, sec-

onded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 123, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABOLISHMENT OF THE PREMARITAL EXAMINATION FOR SYPHILIS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 309) recommending that Senate Bill No. 670, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 309 and S.B. No. 670, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Monday, March 14, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 310) recommending that Senate Bill No. 181, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 181, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NURSING HOME ADMINISTRATORS ACT," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 311) recommending that Senate Bill No. 791 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 791, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE COMMISSIONER," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 312) recommending that Senate Bill No. 735, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 735, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 313) recommending that Senate Bill No. 288, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 288, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 314) recommending that Senate Bill No. 178 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 178 entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 315) recommending that Senate Bill No. 180, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 180, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 316) recommending that

Senate Bill No. 182 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 182, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DISPENSING OPTICIANS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 317) recommending that Senate Bill No. 192, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 192, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Hagino, for the Committee on Federal Relations, presented a report (Stand. Com. Rep. No. 318) recommending that Senate Bill No. 117 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 117, entitled: "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Uwaine, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 319) recommending that Senate Bill No. 220, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 220, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES AND MOPEDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Uwaine, for the majority of the Committee on Transportation, presented a report (Stand. Com.

Rep. No. 320) recommending that Senate Bill No. 305, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 305, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BICYCLES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Uwaine, for the majority of the Committee on Transportation, presented a report (Stand. Com. Rep. No. 321) recommending that Senate Bill No. 389, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 389, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER RESTRAINT," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Uwaine, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 322) recommending that Senate Bill No. 1105 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1105, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Uwaine, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 323) recommending that Senate Bill No. 525 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 525, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Uwaine, for the Committee

on Transportation, presented a report (Stand. Com. Rep. No. 324) recommending that Senate Bill No. 366 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 366, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON TRANSPORTATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 325) recommending that Senate Bill No. 1292, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 325 and S.B. No. 1292, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT OF THE HOLO HOLO CASES," was deferred until Monday, March 14, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 326) recommending that Senate Bill No. 30, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 326 and S.B. No. 30, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," was deferred until Monday, March 14, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 327) recommending that Senate Bill No. 302, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 327 and S.B. No. 302, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," was deferred until Monday, March 14, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 328) recommending that Senate Bill No. 1256, S.D. 1, pass Third Reading.

Stand. Com. Rep. No. 328 and S.B. No. 1256, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS, SCHOLARSHIPS AND FINANCIAL AIDS AT THE UNI-

VERSITY OF HAWAII," were placed on the calendar for Third Reading on Monday, March 14, 1983, on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 329) recommending that Senate Bill No. 523, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 523, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 330) recommending that Senate Bill No. 1175, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 330 and S.B. No. 1175, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," was deferred until Monday, March 14, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 331) recommending that Senate Bill No. 150, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 331 and S.B. No. 150, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED COMPENSATION PLAN FOR PUBLIC EMPLOYEES," was deferred until Monday, March 14, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 332) recommending that Senate Bill No. 6, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 332 and S.B. No. 6, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," was deferred until Monday, March 14, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a

report (Stand. Com. Rep. No. 333) recommending that Senate Bill No. 556, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 333 and S.B. No. 556, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," was deferred until Monday, March 14, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 334) recommending that Senate Bill No. 839, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 334 and S.B. No. 839, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII," was deferred until Monday, March 14, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 335) recommending that Senate Bill No. 1259, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 335 and S.B. No. 1259, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION PROFESSIONAL STUDENT EXCHANGE PROGRAM," was deferred until Monday, March 14, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 336) recommending that Senate Bill No. 1294, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1294, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALLOWANCES FOR LEGISLATORS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 337) recommending that Senate Bill No. 1261, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 337 and S.B. No. 1261, S.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO HAWAII HISTORY," was deferred until Monday, March 14, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 338) recommending that Senate Bill No. 215, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 338 and S.B. No. 215, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE REGISTRATION OF AIRCRAFT," was deferred until Monday, March 14, 1983.

Senator Solomon, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 339) recommending that Senate Bill No. 89 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 339 and S.B. No. 89, entitled: "A BILL FOR AN ACT RELATING TO THE STATE IMMIGRANT SERVICES CENTER," was deferred until Monday, March 14, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 340) recommending that Senate Bill No. 804 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 804, entitled: "A BILL FOR AN ACT RELATING TO PROTECTION OF INSTREAM USES OF WATER," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 14, 1983.

At 5:19 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:20 o'clock p.m.

At this time, Senator Kawasaki rose and stated:

"Mr. President, I'm rising on a point of inquiry.

"On the basis of most of us around here getting writer's cramps from all the certificates that we've been signing, are we saving any money by doing away with resolutions and allowing certificates?"

The Chair then replied:

"Most definitely, Senator Kawasaki."

Senator Cayetano rose and stated:

"Mr. President, would you ask the Minority Floor Leader a question?"

The question was posed and Senator Soares having answered in the affirmative, Senator Cayetano continued:

"I understand that the Minority has a bill digest service. Will you please tell me what the subscription rate is?"

Senator Soares replied:

"The talents of our staff are so valuable that we would have to sit down and negotiate on the basis of the importance of the bills and the volume therefor, so I think about \$4 or \$5 per bill."

Senator Cayetano then stated:

"I think that there are a number of us Majority Senators who'd like to sign up."

Senator Soares then replied:

"I would like to say that I would be very happy to enter into your caucus room and discuss the various bills with you in joint sessions. I seem to miss that very comforting feeling of being all together over there."

Senator Kawasaki then stated:

"Mr. President, I'd like to add a comment to the Minority Leader's statement just now. As a taxpayer who's paying for the staff that prepares all this for the Minority, I insist that it be disseminated to all members of the Senate."

Senator Soares then stated:

"Mr. President, If I might...in this gay moment of discussion, I would say in all seriousness that the Senate with all the opportunity for debate and discussion that we allow on the floor of the Senate, it shouldn't preclude us from saving some time in discussing common interests as we have in the past; so we're available."

The President then stated:

"Before we adjourn today, I would like to remind you that we will be taking up on Third Reading on Monday, all of the bills that we've

decked thus far. Please be ready to vote on these bills on Monday.

"Have a good weekend and thank you for hanging around the building so that we could complete our work on all the committee reports that have been signed."

Senator Abercrombie then rose and stated:

"Just an inquiry, Mr. President. Will there be any caucuses on these bills?"

The President then replied:

"That depends. You have the

weekend to look over these bills. Should there be any bills that members of the Majority want to talk about in caucus, we should bring it up."

Senator Abercrombie then stated:

"Thank you very much, Mr. President."

ADJOURNMENT

At 5:25 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:00 o'clock a.m., Monday, March 14, 1983.

THIRTY-THIRD DAY

Monday, March 14, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:25 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Commander Richard Day, the Chaplain Corps, United States Navy, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Thirty-Second Day.

At 11:27 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:39 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 211 and 212) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 211) transmitting a report prepared by the Department of Planning and Economic Development on its loan programs, entitled: "Four State Loan Programs, 1982 Annual Report," as required under the following statutes:

Section 210-8, HRS, requires an annual report on the progress made under Chapter 210, the Hawaii Capital Loan Program;

Section 189-26, HRS, requires an annual report on the progress made under Chapter 189, Part II, the Large Fishing Vessel Purchase, Construction, Renovation, Maintenance and Repair Loan Program;

Section 189-46, HRS, requires an annual report on the progress made under Chapter 189, Part IV, the Hawaii Small Fishing Vessel Loan Program; and

Section 209-5, HRS, requires an annual report from the Rehabilitation Coordinator. However, since DPED administers the Disaster Commercial and Personal Loan Program, an annual report on its progress is presented;

was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 212) transmitting a report prepared by the Department of Social Services and Housing, in response to House Resolution No. 257 (1981), requesting a study on the cost of reopening of Olinda Honor Camp for selected state prisoners, was referred to the Committee on Judiciary.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 61 to 75), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 61) transmitting House Bill No. 15, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 15, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTITUTION," passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 62) transmitting House Bill No. 31, which passed Third Reading in the House of Representatives on March 11, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 31, entitled: "A BILL FOR AN ACT RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS," passed First Reading by title and was referred to the Committee on Housing and Urban Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 63) transmitting House Bill No. 34, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 34, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on

Judiciary.

A communication from the House (Hse. Com. No. 64) transmitting House Bill No. 291, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 291, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 65) transmitting House Bill No. 314, which passed Third Reading in the House of Representatives on March 11, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 314, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," passed First Reading by title and was referred to the Committee on Housing and Urban Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 66) transmitting House Bill No. 316, which passed Third Reading in the House of Representatives on March 11, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 316, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS," passed First Reading by title and was referred to the Committee on Housing and Urban Development.

A communication from the House (Hse. Com. No. 67) transmitting House Bill No. 357, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 357, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATE JURORS," passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 68) transmitting House Bill No. 390, H.D. 1, which passed Third Reading in the House of

Representatives on March 11, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 390, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUIETING TITLE," passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 69) transmitting House Bill No. 431, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 431, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED).," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 70) transmitting House Bill No. 535, which passed Third Reading in the House of Representatives on March 11, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 535, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ADMINISTRATIVE PROCEDURE ACT," passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 71) transmitting House Bill No. 813, which passed Third Reading in the House of Representatives on March 11, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 813, entitled: "A BILL FOR AN ACT RELATING TO FACTORY-BUILT HOUSING," passed First Reading by title and was referred to the Committee on Housing and Urban Development.

A communication from the House (Hse. Com. No. 72) transmitting House Bill No. 818, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 818, H.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 73) transmitting House Bill No. 1037, which passed Third Reading in the House of Representatives on March 11, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1037, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, SEPARATION," passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 74) transmitting House Bill No. 1128, which passed Third Reading in the House of Representatives on March 11, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1128, entitled: "A BILL FOR AN ACT RELATING TO THE MOORING OF COMMERCIAL VESSELS IN SMALL BOAT HARBORS," passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 75) transmitting House Bill No. 1568, which passed Third Reading in the House of Representatives on March 11, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1568, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed First Reading by title and was referred to the Committee on Ways and Means.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 341) informing the Senate that Standing Committee Report Nos. 342 to 400 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 342) recommending that Senate Bill No. 18, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 18, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAIR BUSINESS PRACTICES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 343) recommending that Senate Bill No. 115, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 115, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM UNCLAIMED PROPERTY ACT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 344) recommending that Senate Bill No. 122, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 122, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL RECORDS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 345) recommending that Senate Bill No. 441, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 441, S.D.

1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERING THE WELFARE OF A MINOR," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 346) recommending that Senate Bill No. 445, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 445, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GAMBLING," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 347) recommending that Senate Bill No. 570, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 570, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 711, OFFENSES AGAINST PUBLIC ORDER," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 348) recommending that Senate Bill No. 617, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 617, entitled: "A BILL FOR AN ACT RELATING TO QUIETING TITLE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 349) recommending that Senate Bill No. 915, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 915, entitled: "A BILL FOR AN ACT RELATING TO COMMENCING PROSECUTION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 350) recommending that Senate Bill No. 1093, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1093, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLITICAL PARTIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 351) recommending that Senate Bill No. 1113, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1113, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 352) recommending that Senate Bill No. 1172, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1172, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 353) recommending that Senate Bill No. 1201, as amended in S.D. 1, pass

Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1201, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 354) recommending that Senate Bill No. 248, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 248, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLES II, III, AND XVII OF THE CONSTITUTION OF THE STATE OF HAWAII TO PROVIDE FOR THE INITIATIVE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 355) recommending that Senate Bill No. 358, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 358, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRINCIPLES OF JUSTIFICATION UNDER THE HAWAII PENAL CODE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 356) recommending that Senate Bill No. 563, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 563, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED ACCEPTANCE OF GUILTY PLEA,"

passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 357) recommending that Senate Bill No. 630, as amended S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 630, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAROLE PROCEDURE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 358) recommending that Senate Bill No. 665, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 665, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM ENFORCEMENT OF FOREIGN JUDGMENTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 359) recommending that Senate Bill No. 914, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 914, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JURORS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 360) recommending that Senate Bill No. 1142, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 1142, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION, RELATING TO THE APPOINTMENT OF JUSTICES AND JUDGES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 361) recommending that Senate Bill No. 1215, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1215, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 362) recommending that Senate Bill No. 1444, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1444, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 363) recommending that Senate Bill No. 27, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 27, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATTACHMENT AND EXECUTION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 364) recommending that Senate Bill No. 47, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 47, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SHOPLIFTING," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 365) recommending that Senate Bill No. 205, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 205, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATERNITY STATUTE OF LIMITATIONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 366) recommending that Senate Bill No. 241, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 241, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUALIFICATION OF EXPERTS WHERE INSANITY OR MENTAL ILLNESS IS AN ISSUE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 367) recommending that Senate Bill No. 312, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and

carried, the report of the Committee was adopted and S.B. No. 312, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 368) recommending that Senate Bill No. 315, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 315, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 369) recommending that Senate Bill No. 349, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 349, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ADMINISTRATIVE PROCEDURE ACT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 370) recommending that Senate Bill No. 356, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 356, entitled: "A BILL FOR AN ACT RELATING TO POST CONVICTION PROCEEDINGS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 371) recommending that Senate Bill No. 446, as amended in S.D. 1, pass Second Reading and be

placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 446, S.D. 1, entitled: "A BILL FOR AN ACT TO AMEND SECTION 707-741, HAWAII REVISED STATUTES, CREATING TWO CLASSES OF INCEST," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 372) recommending that Senate Bill No. 478, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 478, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 373) recommending that Senate Bill No. 484, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 484, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 374) recommending that Senate Bill No. 485, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 485, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 375) recommending that Senate Bill No. 499, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 499, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 376) recommending that Senate Bill No. 534, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 534, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 377) recommending that Senate Bill No. 578, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 578, entitled: "A BILL FOR AN ACT RELATING TO BAIL BONDSMEN," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 378) recommending that Senate Bill No. 631, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 631, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVOLUNTARY CIVIL COMMITMENT UNDER MENTAL

HEALTH LAW. ADMISSIONS FOR NONEMERGENCY TREATMENT OR SUPERVISION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 379) recommending that Senate Bill No. 694, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 694, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JOINT TORTFEASORS LIABILITY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 380) recommending that Senate Bill No. 752, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 752, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II OF THE HAWAII CONSTITUTION BY ADDING A NEW SECTION RELATING TO VOTES REQUIRED FOR ELECTION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 381) recommending that Senate Bill No. 890, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 890, entitled: "A BILL FOR AN ACT RELATING TO CREDIT CARD OFFENSES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 382) recommending that Senate Bill No.

912, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 912, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MECHANIC'S AND MATERIALMAN'S LIENS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 383) recommending that Senate Bill No. 923, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 923, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE TRUSTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 384) recommending that Senate Bill No. 1091, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1091, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 385) recommending that Senate Bill No. 1171, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1171, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 386) recommending that Senate Bill No. 1199, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1199, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE LIABILITY FOR CONVICTED PERSONS WHO PERFORM COMMUNITY SERVICE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 387) recommending that Senate Bill No. 1212, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1212, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURES BY JUDGES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 388) recommending that Senate Bill No. 127, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 388 and S.B. No. 127, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," was deferred until Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 389) recommending that Senate Bill No. 775, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 389 and S.B. No. 775, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," was deferred until Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 390) recommending that Senate Bill No.

505, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 390 and S.B. No. 505, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A STATEWIDE TRANSITION TO WORK SYSTEM," was deferred until Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 391) recommending that Senate Bill No. 695, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 391 and S.B. No. 695, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOG CONTROL," was deferred until Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 392) recommending that Senate Bill No. 828, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 392 and S.B. No. 828, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL AND CAREER INFORMATION," was deferred until Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 393) recommending that Senate Bill No. 1173, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 393 and S.B. No. 1173, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF TAX ANTICIPATION NOTES OF THE COUNTIES," was deferred until Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 394) recommending that Senate Bill No. 840, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 394 and S.B. No. 840, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 395) recommending that Senate Bill No. 13, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 395 and S.B. No. 13, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF PROPERTY INSURANCE RATES," was deferred until Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 396) recommending that Senate Bill No. 51, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 396 and S.B. No. 51, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL CLAIMS," was deferred until Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 397) recommending that Senate Bill No. 825, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 397 and S.B. No. 825, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEMOPHILIA," was deferred until Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 398) recommending that Senate Bill No. 208, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 398 and S.B. No. 208, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," was deferred until Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 399) recommending that Senate Bill No. 360, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 399 and S.B. No. 360, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT OF PATIENTS AT FACILITIES FOR THE TREATMENT OF PERSONS SUFFERING FROM

HANSEN'S DISEASE," was deferred until Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 400) recommending that Senate Bill No. 614, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 400 and S.B. No. 614, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS' BUDGET," was deferred until Wednesday, March 16, 1983.

ORDER OF THE DAY

THIRD READING

MATTER DEFERRED FROM MARCH 11, 1983

Senate Bill No. 362, S.D. 1:

By unanimous consent, action on S.B. No. 362, S.D. 1, was deferred to the end of the calendar.

THIRD READING

Senate Bill No. 21, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 21, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUND RAISING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 242:

By unanimous consent, action on S.B. No. 242 was deferred to the end of the calendar.

Senate Bill No. 121:

By unanimous consent, action on S.B. No. 121, entitled: "A BILL FOR AN ACT RELATING TO THE CONTROL OF TUBERCULOSIS" was recommitted to the Committee on Health.

Senate Bill No. 129:

By unanimous consent, action on S.B. No. 129 was deferred to the end of the calendar.

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:45

o'clock a.m.

Senate Bill No. 124:

By unanimous consent, S.B. No. 124, entitled: "A BILL FOR AN ACT RELATING TO THE REQUIRED BLOOD SAMPLES OF PREGNANT WOMEN," was recommitted to the Committee on Health.

Senate Bill No. 822, S.D. 1:

By unanimous consent, action on S.B. No. 822, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 498, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 498, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 79, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 79, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JURY DUTY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 290, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 290, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUITS BETWEEN SPOUSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1152, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 1152, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 7, OF THE HAWAII CONSTITUTION, TO DELETE THE REQUIREMENT OF RESIGNATION FROM PRESENT OFFICE TO BECOME A CANDIDATE FOR ANOTHER OFFICE," having been read throughout, passed Third Reading on

the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Ajifu, George, Hagino, Henderson, Kawasaki, A. Kobayashi and Soares).

Senate Bill No. 255, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 255, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS BROUGHT INTO THE STATE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 605, S.D. 1:

By unanimous consent, action on S.B. No. 605, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 980, S.D. 1:

By unanimous consent, action on S.B. No. 980, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 618:

On motion by Senator Fernandes Salling, seconded by Senator Machida and carried, S.B. No. 618, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS' TRUSTEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 722:

On motion by Senator Fernandes Salling, seconded by Senator Machida and carried, S.B. No. 722, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 920, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Machida and carried, S.B. No. 920, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," having been read throughout, passed Third Reading on

the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 761:

By unanimous consent, action on S.B. No. 761 was deferred to the end of the calendar.

Senate Bill No. 222, S.D. 1:

By unanimous consent, action on S.B. No. 222, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 179, S.D. 1:

By unanimous consent, action on S.B. No. 179, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 40:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 40, entitled: "A BILL FOR AN ACT RELATING TO ACCOUNTANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 258 (S.B. No. 891, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 258 and S.B. No. 891, S.D. 2, was deferred to the end of the calendar.

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:51 o'clock a.m.

Senate Bill No. 941:

By unanimous consent, action on S.B. No. 941 was deferred to the end of the calendar.

Standing Committee Report No. 260 (S.B. No. 387, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 260 and S.B. No. 387, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 261 (S.B. No. 385, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 261 and S.B. No. 385, S.D. 2, was deferred to the

end of the calendar.

Senate Bill No. 210:

By unanimous consent, action on S.B. No. 210 was deferred to the end of the calendar.

Senate Bill No. 109, S.D. 1:

By unanimous consent, action on S.B. No. 109, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 211:

By unanimous consent, S.B. No. 211, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," was recommitted to the Committee on Ways and Means.

Senate Bill No. 521:

By unanimous consent, S.B. No. 521, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was recommitted to the Committee on Ways and Means.

Senate Bill No. 502, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, S.B. No. 502, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Henderson).

Senate Bill No. 1275, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, S.B. No. 1275, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Henderson).

At 11:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:54 o'clock a.m.

RECONSIDERATION OF ACTION TAKEN

Senator Cobb then moved that the Senate reconsider its action taken on S.B. No. 1275, S.D. 1, seconded by

Senator Soares.

Senator Cobb then informed the members of the Senate that the companion House bill has been received in the Senate.

The motion to reconsider the action was put by the Chair and carried.

By unanimous consent, S.B. No. 1275, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," was recommitted to the Committee on Ways and Means.

Senate Bill No. 379, S.D. 1:

By unanimous consent, action on S.B. No. 379, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 147:

On motion by Senator Mizuguchi, seconded by Senator Abercrombie and carried, S.B. No. 147, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 149:

On motion by Senator Mizuguchi, seconded by Senator Abercrombie and carried, S.B. No. 149, entitled: "A BILL FOR AN ACT RELATING TO LEAVES OF ABSENCE OF PUBLIC OFFICERS AND EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 507, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Abercrombie and carried, S.B. No. 507, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAGE AND HOUR LAW," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 508:

By unanimous consent, action on S.B. No. 508 was deferred to the end of the calendar.

Senate Bill No. 509:

On motion by Senator Mizuguchi,

seconded by Senator Abercrombie and carried, S.B. No. 509, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 510:

By unanimous consent, action on S.B. No. 510 was deferred to the end of the calendar.

Senate Bill No. 511:

On motion by Senator Mizuguchi, seconded by Senator Abercrombie and carried, S.B. No. 511, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 448, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 448, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 292, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 292, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPARATIVE NEGLIGENCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 480, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 480, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1187:

By unanimous consent, action on S.B. No. 1187 was deferred to the end of the calendar.

Senate Bill No. 650, S.D. 1:

On motion by Senator Toguchi, seconded by Senator Solomon and carried, S.B. No. 650, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POULTRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 247, S.D. 1:

By unanimous consent, action on S.B. No. 247, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 185, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 185, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF PHARMACY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 198:

By unanimous consent, action on S.B. No. 198 was deferred to the end of the calendar.

Senate Bill No. 204:

By unanimous consent, S.B. No. 204, entitled: "A BILL FOR AN ACT RELATING TO VISITATION AND SUPPORT," was recommitted to the Committee on Human Resources.

Senate Bill No. 343, S.D. 1:

By unanimous consent, action on S.B. No. 343, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 519:

By unanimous consent, action on S.B. No. 519 was deferred to the end of the calendar.

Senate Bill No. 133, S.D. 1:

On motion by Senator Chang, seconded by Senator Hagino and carried, S.B. No. 133, S.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION OF AQUATIC LIFE, WILDLIFE AND PLANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 153, S.D. 1:

By unanimous consent, S.B. No. 153, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE APPOINTMENT OF MEMBERS TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," was recommitted to the Committee on Housing and Urban Development.

Senate Bill No. 202, S.D. 1:

By unanimous consent, S.B. No. 202, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was recommitted to the Committee on Housing and Urban Development.

Senate Bill No. 254, S.D. 1:

On motion by Senator Young, seconded by Senator Holt and carried, S.B. No. 254, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE HOUSING PROJECTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 328, S.D. 1:

By unanimous consent, action on S.B. No. 328, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 520:

On motion by Senator Young, seconded by Senator Holt and carried, S.B. No. 520, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 676, S.D. 1:

By unanimous consent, action on S.B. No. 676, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 703, S.D. 1:

By unanimous consent, action on S.B. No. 703, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 969:

By unanimous consent, action on S.B. No. 969 was deferred to the end of the calendar.

Senate Bill No. 971:

On motion by Senator Young, seconded by Senator Holt and carried, S.B. No. 971, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTUAL EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Soares).

Senate Bill No. 1045:

On motion by Senator Abercrombie, seconded by Senator Mizuguchi and carried, S.B. No. 1045, entitled: "A BILL FOR AN ACT RELATING TO FEDERALLY CONNECTED STUDENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 723:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, S.B. No. 723, entitled: "A BILL FOR AN ACT RELATING TO KAUAI COUNTY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 203:

On motion by Senator Mizuguchi, seconded by Senator Abercrombie and carried, S.B. No. 203, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE FOR CHILDREN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 209:

By unanimous consent, action on S.B. No. 209 was deferred to the end of the calendar.

Senate Bill No. 492, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 492, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1186, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 1186, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS JURISDICTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 80, S.D. 1:

By unanimous consent, action on S.B. No. 80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 481, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 481, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 627, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 627, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, SEPARATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 669, S.D. 1:

By unanimous consent, action on S.B. No. 669, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 123, S.D. 1:

By unanimous consent, S.B. No. 123, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

ABOLISHMENT OF THE PREMARITAL EXAMINATION FOR SYPHILIS," was recommitted to the Committee on Health.

Standing Committee Report No. 309 (S.B. No. 670, S.D. 1):

On motion by Senator Machida, seconded by Senator Young and carried, Stand. Com. Rep. No. 309 was adopted and S.B. No. 670, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 181, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 181, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NURSING HOME ADMINISTRATORS ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 791:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 791, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE COMMISSIONER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 735, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 735, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 288, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 288, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 178:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 178, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 180, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 180, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 182:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 182, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DISPENSING OPTICIANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 192, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 192, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 117:

On motion by Senator Hagino, seconded by Senator Kuroda and carried, S.B. No. 117, entitled: "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:05 o'clock p.m., the Senate

stood in recess subject to the call of the Chair.

The Senate reconvened at 12:06 o'clock p.m.

Senate Bill No. 220, S.D. 1:

By unanimous consent, S.B. No. 220, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES AND MOPEDES," was recommitted to the Committee on Transportation.

Senate Bill No. 305, S.D. 1:

By unanimous consent, action on S.B. No. 305, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 389, S.D. 1:

By unanimous consent, action on S.B. No. 389, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1105:

On motion by Senator Uwaine, seconded by Senator Yamasaki and carried, S.B. No. 1105, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 525:

On motion by Senator Uwaine, seconded by Senator Yamasaki and carried, S.B. No. 525, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 366:

On motion by Senator Uwaine, seconded by Senator Yamasaki and carried, S.B. No. 366, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON TRANSPORTATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 325 (S.B. No. 1292, S.D. 2):

Senator Yamasaki moved that Stand.

Com. Rep. No. 325 be adopted and S.B. No. 1292, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Abercrombie rose to speak in favor of the bill and stated:

"Mr. President, though I am speaking in favor of this bill, I think that it is unfortunate that the Holo Holo case settlement comes at this time. It should have been done a long time ago. And I would hope that in the passage of this bill that this is not the end of the situation with respect to a discussion as to whether the state was well served and how this case was conducted.

"I've indicated myself, and I don't believe I'm the only one, to the Judiciary chairman, that the manner in which this case was pursued by the state raises grave questions as to propriety with respect to the attorneys. Handling of the case by the state raises grave questions as to whether the best interests of the parties involved here were well served in the case itself and the taxpayers, in particular.

"We have a situation here where an attorney left the Attorney General's office carrying the case with him. There are hundreds of thousands of dollars in fees involved here that I think should be recovered by the state. I think an investigation should be undertaken as to whether or not there is a question of, if not ethical behavior with respect to how this case was handled. Whether or not a case can be made for malpractice with respect to the handling of this case.

"If one reads even a partial transcript of the hearing before Judge King, one is appalled at the caliber of the presentation of the attorneys on the part of the state.

"It is with deep regret, Mr. President, that I see that we will be passing the settlement for the Holo Holo case when one of the wives of one of the people who died in the Holo Holo tragedy has died herself within the last two weeks. Why such a thing should be afflicted in one family is beyond my comprehension, and I admit that I am concerned about it because I knew that family and knew the surviving spouse ... worked with the surviving spouse who has died of cancer, as I said, within the last couple of weeks.

"Why the people involved in this case, the victims, survivors, were

subjected to this kind of thing is beyond me.

"When I was chairman of the Higher Education Committee, we held a hearing in order to try and expedite this situation. The attorneys for the Attorney General were there. It was clear at our hearing in the Higher Education Committee that this case could be settled in no way other than a settlement.

"It was clear to anyone who read the requirements involved that there would have to be a settlement on the basis of negligence. That is precisely what took place.

"In the meantime, hundreds and hundreds of thousands of dollars were expended. No attempt was made to reach a settlement despite the efforts of the plaintiffs' attorneys to reach a settlement over and over and over again. The record is replete with these attempts.

"I think it's past time when we get the Attorney General's office to recognize that sometimes the best interest of the state is not to defend endlessly a case but to reach a settlement with those who are deserving.

"We, all of us in this room, as well as as the people in the gallery and the taxpayers as a whole, are the people of the state and when the state says it's defending us it seems to me that it should defend us on the basis of what is just and what is right, not on the basis of what we possibly could save or not save. But when that is used as the criteria, the money itself is to be the criteria, liability in dollar terms, then why do we subject ourselves to a situation in which the attorneys in the case can make all the money and in the end the taxpayer pays the same amount of money that would have been paid in the first place, except the attorney in the case has walked off, in this instance, with hundreds of thousands of dollars of taxpayers' money that serves no one's interest except the attorney involved.

"So I conclude that it is a rather grim irony for me to be voting in favor of this bill which should have been before us a long, long time ago. Justice has certainly been delayed in this case, far beyond any reasonable right to expect it.

"And certainly the people of this state deserve an answer as to why this case was conducted in the

manner in which it was conducted when there was ample evidence on the record that no other conclusion other than the bill before us would be the answer, long, long ago."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 325 was adopted and S.B. No. 1292, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT OF THE HOLO HOLO CASES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 326 (S.B. No. 30, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 326 was adopted and S.B. No. 30, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 327 (S.B. No. 302, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 327 and S.B. No. 302, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 328 (S.B. No. 1256, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 328 and S.B. No. 1256, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 523, S.D. 1:

By unanimous consent, S.B. No. 523, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was recommitted to the Committee on Ways and Means.

At 12:14 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:16 o'clock p.m.

Standing Committee Report No. 330 (S.B. No. 1175, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi

and carried, Stand. Com. Rep. No. 330 was adopted and S.B. No. 1175, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 331 (S.B. No. 150, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 331 was adopted and S.B. No. 150, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED COMPENSATION PLAN FOR PUBLIC EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 332 (S.B. No. 6, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 332 was adopted and S.B. No. 6, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 333 (S.B. No. 556, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 333 was adopted and S.B. No. 556, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:18 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:19 o'clock p.m.

Standing Committee Report No. 334

(S.B. No. 839, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 334 and S.B. No. 839, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 335 (S.B. No. 1259, S.D. 1):

Senator Yamasaki moved that Stand. Com. Rep. No. 335 be adopted and S.B. No. 1259, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Abercrombie rose to speak in favor of the measure and stated as follows:

"Mr. President, on the desk of many of the Senators here today, if not all, is a copy of a petition. A copy of a petition, ostensibly from pre-professional students at the University of Hawaii, along with their supporters, objecting to Senate Bill 1259, the Senate draft which appears before you.

"If the reasoning involved in this petition is any example of the quality of the professional capacity of these people, we're in serious trouble.

"I'm going to go over this as briefly as I can. I tried to mark on this petition those things which I could comment on and it turned out it's every one but one.

"I'll try to go through it as quickly as I can because this should be on the record.

"What they managed to do here is try to avoid dealing with the bill, which is typical when somebody wants to get some money for nothing.

"It says, 'The WICHE Student Exchange Program is not a scholarship' ... nobody ever said that it was.

"It says it's 'a program that gives access to Hawaii students for training in careers not available in Hawaii.' Of course, that's exactly what it's supposed to be.

"The training presently' and it lists them, 'Dentistry, Veterinary Medicine, Optometry, Pharmacy,' etc.

"You'll find in there none that are low paying occupations, I guarantee you that. Apparently, they are so anxious to get on with making money that they want to get an early start by taking it from the state.

"Suspension of funding may result in rescindence of admission for students...' Now, this is, of course, a complete chimera.

"This bill does not suspend any funding whatsoever. This is a loan program. You will not find in this petition a single reference to what the bill is all about, which is a loan.

"We are being told all over this country that we should take ourselves up by the bootstrap and so on and that we should take care of ourselves. We talk about new federalism and all the rest of it. We've all kinds of burdens being put upon people, economically, and these people who are going to have the advantage of a professional education, tuition of which is going to be paid for by the people of the State of Hawaii, want to walk away from it with no obligation back to the same taxpayers.

"There is no suspension of funding. On the contrary, it guarantees funding for a lot more people.

"What bothers me the most about the people who are taking this money is that there is not one wit concern about the people coming after. When I was growing up, this was known as the 'I'm all right, Jack' attitude. Once I get mine, to hell with everybody else.

"What this loan fund is for is to see to it that people who come after will be able to also have the advantage of this loan, and so that they will be helping people who come after them in the same professional capacity that they're going to enjoy. Maybe they don't want any competition. Maybe they want to be the last ones to get to be dentists and veterinarians and so on, and nobody else will be able to come up.

"Suspension of the WICHE Student Exchange Program would result in loss of student access this year and great difficulty in reestablishing it.'

"Who's going to suspend the WICHE Student Exchange Program?

"We went over this very thoroughly. The WICHE Exchange Program, the Western Interstate Commission for Higher Education, that's what WICHE is, is totally unconcerned about the conditions under which the money is received in the member institutions. They could care less about it. It hasn't anything to do with it. They simply accept

the money, just as we do, and just as there are loans in other states. You know, they don't put that in the petition here.

"Just as other states have a loan program, the State of Hawaii is unconcerned about the conditions under which that money is received on behalf of these students who come here to the University of Hawaii. That's an individual contract between the student and the state which provides the money in the first place.

"It states here that 'It is unfair for the state to subsidize the education of some professional groups ... and not all of them.' We don't have all of them here in this state. That's one of the reasons why we're providing the subsidy for them. I'm glad that they admit that it's a subsidy. We were never able to get that admitted before. They weren't thinking too clearly when they put it on. That's exactly what it is, a subsidy for these people.

"What we're saying to them is that we're going to loan this to you so that other people can enjoy the benefit of it. We subsidize everybody else. I'm not against subsidizing, and I hope they're the greatest dentists in the whole world. I really feel sorry for dentists, they have such a tough time making it through life.

"They say, 'The State is deliberating raising tuition for students at the University of Hawaii to a level that is still far below the national average,' that's not true, 'yet a payback provision' ... a payback ... this is a loan, why shouldn't they pay it back? Everybody else, and there are probably people on this floor right now who may have sons and daughters who have loans right now going to school. Don't they have to pay it back? And don't we have a high record of repayment in the State of Hawaii? If I'm not mistaken, it's one of the best in the nation, if not the best in the nation.

"Why should everybody else, why should every other student who has a loan in the State of Hawaii have to pay it back do so and these people get the money for nothing.

"The payback provision would make the WICHE supported careers affordable only to the rich and the super rich.' This is not true. The only thing that is involved in WICHE is a simple certification that you're

eligible for it. That has nothing to do ... and they know very well that students getting this that when you were certified to WICHE it has nothing to do with your income. We didn't put a need factor. Maybe we should have.

"If they're so worried about the rich and the super rich getting in, then why don't we add a provision in it that you are only eligible for these loans if you're in need of them. Maybe we should do that so that if it happens to be the son or daughter of a dentist in here who's got a high income they wouldn't be eligible. We make it available to everybody who isn't needful. They've got a weird sense of what's going on here.

"You can be the daughter or son of a multimillionaire and still be eligible for this money. You can have your mommy or your daddy pay it off for you, if you want, and still be eligible. And they're complaining. There's nothing to do ... and I would ask ... I'm sure that the Higher Education chairman can verify that certification has nothing to do with whether you're rich or not. Maybe it should.

"One of the other things here, 'A payback provision would inhibit the return of residents after completion of training.' Now, how that reads reasoning operates, I don't know, after the State of Hawaii has provided tens of thousands of dollars for you in order to become a dentist. Does that mean that you'll show us by not coming back? How that works is absolutely beyond me.

"The fact of the matter is, right now you don't have to come back anyway. This is the United States of America. You can travel freely between the states. No one makes them come back.

"We're just saying that if you have the advantage of the tax money of the taxpayers of Hawaii to further your education, would you please repay some of that loan so that some people coming up after you can enjoy the same advantages.

"So, the conclusion is that they urge that 'serious deliberation and reconsideration be made of the program.' Well, I'm sure that deliberation on this has been quite serious, and as far as reconsideration is concerned, maybe we ought to put a need test. But failing that, I think that this is a big step forward; it's taken us a long time to get here.

"This program, and I'm sure Senator Kawasaki would be interested, is one of those programs that started out with a few dollars in it. The odd couple of thousands dollars to take care of a few people because we didn't have professional schools here, and it didn't amount to anything.

"Every year this program, a \$100,000, \$200,000, \$500,000, \$800,000 and now it's over the million dollar mark, at the same time we're cutting programs back all over the higher education system.

"I was just at the Honolulu Community College the other day where the situation there is where they are going to cut the drafting class in half. There are eighteen jobs out at Pearl Harbor right now. They can be graduating these people out of Honolulu Community College, putting them right into jobs at Pearl Harbor. They're not going to have the graduates because that's one of the courses that's going to be cut if the present budget goes through as is, and they're going to go to the Mainland to hire those people.

"In the meantime, these people in WICHE getting the free money are going to be up on the Mainland getting to be dentists and veterinarians and all the rest of this kind of thing, living the 'life of Riley' afterwards, and we're cutting the throats of our own people right here in the State of Hawaii who are paying their tuition and being asked to pay more.

"Now, there may be more selfish people, self-serving people in the state than the ones that are getting the advantage of this program right now, but I don't know where they are.

"It's about time we put this into proper perspective. In ten year's time, \$10 million-plus. It will probably be between \$12 and \$15 million that will be going out into this program without a penny coming back into the state.

"And to my knowledge, and I've asked this question for four years running, to my knowledge, not a single penny has ever been offered by any graduate of this program in terms of a scholarship or any funding to the Research Corporation or to the U.H. Foundation or anything else.

"Everybody who has taken advantage of this program has never

returned so much as a thank you to the taxpayers of the State of Hawaii.

"This is a bill that is long due, long overdue in passage."

Senator Cayetano spoke in support of the measure and in response to the previous speaker and stated:

"Mr. President, Senator Abercrombie was referring to a petition that was placed on the desks of our colleagues this morning.

"In reference to the petition, I feel somewhat responsible for this monologue that I just heard because the young man who wanted to express his opinion to his duly elected representatives caught me at the door and asked me if I could pass this out to our colleagues, and I did.

"Frankly, in reading the petition I wonder if Senator Abercrombie and I have the same one. I see this as being just a sincere expression by these students of their concern about this particular program.

"Those who have served with me know that over the years I have always been for a loan program, so I support the bill wholeheartedly. But, I don't think it's fair to ... I think it's an overreaction to go after these young people for expressing their opinion because in the past the circumstances and the conditions under which this program was administered was of our doing.

"The four years that I've served here, members may recall the battles that we've had with each other as to how this program should be run. And, so now, finally, the tide is turning to the point of view that Senator Abercrombie and I espouse, along with Senator Kawasaki and some of the others.

"I really don't think we should blame these young people. As a matter of fact, I've met quite a few of them who have come back because they love Hawaii, and who are contributing to our society in terms of paying taxes and serving the community as dentists, pharmacists, optometrists and others.

"I just wanted to put it in perspective. Thank you."

Senator Abercrombie, in response, stated as follows:

"Mr. President, I'll put it in little

further perspective.

"There's no argument, as I say, I didn't put in here that the payback provision would inhibit the return of residents after the completion of their training. This is what's in the petition. My assumption is that those who care about Hawaii will be back in Hawaii.

"What they're trying to do is to get us to say that we shouldn't pass this for fear that they might not come back. My answer is, 'bon voyage,' if that's going to be the attitude.

"As for the argument going on over a number of years, that's quite correct. I doubt that there's very few people in this program that are not perfectly aware of what the elements are, and let me give you an anecdote that'll show it.

"At a Christmas party that I was at, a man came up to me and said to me, 'Well, I hear you're trying to get my son out of school.' And I said, 'How do you mean? I've always been an advocate of education, expending more on education.' He said, 'Well, my son's in the WICHE program and you're trying to take his money away.' I said, 'No, I'm trying to get a loan so that other people could come up afterwards. What if your son was number 31 on the list because there's only 30 people that get certified?' He answers, 'Then I'd be for the loan.' I said, 'What if he's number 30?' and he says, 'Then I'd be for the way it is.' I asked him, 'Why?' and he said, 'Because the money is free.' I said, 'At least you're honest.'

"Now that was a conversation with me that I didn't initiate. It was someone who came up to me so I don't believe for a second that somebody who is going off in these professions doesn't understand exactly what kind of a deal they're getting. So the rest of it, as far as I am concerned, is all crocodile tears."

Then, Senator B. Kobayashi rose to speak in support of the bill and stated:

"Mr. President, I rise to speak in favor of the bill.

"Very briefly, I think that we have failed to administer this program adequately. In years past, I've asked, for instance, why we have had a static number of slots going to dentists, and a static number of slots going, for example, to occupational

therapists, noting that there was a difference in demand between the two; that is, occupational therapists are positions that cannot be filled in this state because we do not have students available to fill these slots.

"At the same time, there are, according to some people at least, an adequate number if not a surplus of dentists. Also, dentists have the ability to pay back many of their loans, whereas, occupational therapists, contrary to comments made earlier, are somewhat low paying occupations and, in that regard, more in need of money to support their education. The administration of this loan, however, has not recognized these differences.

"Further, the administration of the loan has not recognized the number of slots available per position and the amount of money going to those so-called slots; rather, when asked whether there was a demand, and the size of the demand for each of these positions, the people have said that there seems to be a demand on the basis of applications sent to the Hawaii administration for WICHE, not whether there is a demand in the field out there in the general public for more optometrists, veterinarians, dentists, podiatrists, pharmacists, etc.

"They really don't know whether there is a demand for these positions out there in the community ... rather, they perceive their demand on the basis of demand of applications presented to them. Hence, what we have had is a funding program that has always been ratchet upward and not downward. Upwards because there is constantly more and more demand on the basis of applications for these positions rather than demand in the community for more of these valuable and sometimes hard to fill positions.

"So, with these comments, I would suggest that we pass this bill.

"The unfortunate thing about this bill is that we in our system of government do not believe in indentured servitude and, hence, have not been able to force these people, who have received essentially subsidy money from the State of Hawaii, back to serve the taxpayers of the state money which originally put them through school. So, failing the difficulties of bringing them back to the State of Hawaii, we should perhaps bring them back at least in

some monetary loan manner.

"Thank you."

Senator Kawasaki also spoke in support of the measure and stated:

"Mr. President, while not wishing to delay further the vote to be taken on this bill, I do first of all want to commend the introducer of the bill, Senator Abercrombie, for introducing this bill and I am delighted to hear comments here, for those of us who are proponents of the bill, the very same arguments we've been articulating in Ways and Means Committee for many years.

"One other piece of information I thought should be known here is that most of these loans, a lot of these loans, and for the total life of these loans - three, four years - some cases amount to as much as \$40,000 to a single fortunate student.

"And, as Senator Abercrombie has said, what bothers me, particularly in the high paying professions like the veterinarians, the opticians and ophthalmologists, and so forth ... when they come back from school and they are in five, six years of practice, they begin to earn an average income of about \$100,000 a year or more. And, not a single instance of any single repayment has been made by these people. Not a single gesture to say, 'I've had the opportunity at the taxpayers' expense of attending school; now I want to make sure that some other kid has the same opportunity, particularly a kid in a low income category.'

"A lot of these professional people who had the advantage of the WICHE loans have come back, entered into professional practice, making good money today, have also had their offsprings apply to the WICHE loan and gotten these WICHE loans.

"I understand that the great advantage in having a WICHE loan is not as much, perhaps for people, the financial windfall they can enjoy if they wish to take advantage of it, but more importantly the fact that for the student who qualifies for WICHE loan, it is easier for them to be accepted into some of these professional schools. If they did not qualify under the WICHE loan, it'll be a little more difficult for them to even be admitted to some of these schools. The advantages of the WICHE loan are twofold, financial windfall reason for one thing and, secondly, it makes it easier for these kids for it almost

guarantees their being accepted by the WICHE associated schools. I think this information should be known."

Senator Chang, also in support of the bill, stated:

"Mr. President, I will be voting in favor of this bill.

"I share the belief that this proposal is long overdue; however, I remain concerned because I know that many of these students come from needy families and that the repayment schedule is too rigid and will require from them too large a sum of money in the initial phases of their careers. I hope that in a continuing and full discussion of this proposal, something can be worked out to accommodate families of this kind. Thank you."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 335 was adopted and S.B. No. 1259, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION PROFESSIONAL STUDENT EXCHANGE PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:40 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:46 o'clock p.m.

Senate Bill No. 1294, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, S.B. No. 1294, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALLOWANCES FOR LEGISLATORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (George and Soares).

Standing Committee Report No. 337 (S.B. No. 1261, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, S.B. No. 1261, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HISTORY," having been read throughout, passed Third Reading on the following

showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 338 (S.B. No. 215, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 338 and S.B. No. 215, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 339 (S.B. No. 89):

By unanimous consent, action on Stand. Com. Rep. No. 339 and S.B. No. 89, was deferred to the end of the calendar.

Senate Bill No. 804:

By unanimous consent, action on S.B. No. 804, was deferred to the end of the calendar.

At this time, the Chair made the following observation:

"Members of the Senate, before going into recess to return at 5:00 o'clock to take up all bills that have been moved to the end of the calendar, the journal will be left open to receive standing committee reports on additional bills to be placed on each member's desk."

At 12:50 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate stood in recess until 5:00 o'clock p.m, this afternoon.

AFTERNOON SESSION

The Senate reconvened at 5:30 o'clock p.m., with the President in the Chair and with all Senators present.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 76) transmitting House Bill No. 757, which passed Third Reading in the House of Representatives on March 11, 1983, was read by the Clerk and was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 757, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE," passed First Reading by title and was referred to the Committee on Human Resources.

STANDING COMMITTEE REPORTS

Senators Abercrombie and Holt, for the Committee on Education and the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 401) recommending that Senate Bill No. 221, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Holt and carried, the joint report of the Committees was adopted and S.B. No. 221, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII COLLEGE OF EDUCATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 402) recommending that Senate Bill No. 1254 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Holt, seconded by Senator Uwayne and carried, the report of the Committee was adopted and S.B. No. 1254, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Holt, for the majority of the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 403) recommending that Senate Bill No. 1258, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Holt, seconded by Senator Uwayne and carried, the report of the majority of the Committee was adopted and S.B. No. 1258, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JURISDICTION OF THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 404) recommending that Senate Bill No. 19, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 19, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF BUSINESS OPPORTUNITIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 405) recommending that Senate Bill No. 33, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 33, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDSCAPE ARCHITECTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 406) recommending that Senate Bill No. 55, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 55, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BUSINESS CORPORATION ACT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 407) recommending that Senate Bill No. 184, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 184, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF OSTEOPATHY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 408) recommending that Senate Bill No. 435, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 435, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREDIT INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 409) recommending that Senate Bill No. 469 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 469, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 410) recommending that Senate Bill No. 777 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 777, entitled: "A BILL FOR AN ACT RELATING TO FOREIGN LENDERS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 411) recommending that Senate Bill No. 798 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 798,

entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 412) recommending that Senate Bill No. 950, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 950, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 413) recommending that Senate Bill No. 1001 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 1001, entitled: "A BILL FOR AN ACT RELATING TO THE INDUSTRIAL LOAN COMPANY GUARANTY ACT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 414) recommending that Senate Bill No. 1295, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 1295, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 415) recommending that

Senate Bill No. 1339, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 1339, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 416) recommending that Senate Bill No. 516, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 516, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSECUTION OF CONSUMER COMPLAINTS BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 417) recommending that Senate Bill No. 142, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 142, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 418) recommending that Senate Bill No. 760, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 760, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE

MANAGEMENT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 419) recommending that Senate Bill No. 662 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 662, entitled: "A BILL FOR AN ACT RELATING TO THE MOORING OF COMMERCIAL VESSELS IN SMALL BOAT HARBORS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 420) recommending that Senate Bill No. 1351, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 1351, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 421) recommending that Senate Bill No. 913, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 913, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STADIUM AUTHORITY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Toguchi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 422) recommending that Senate Bill No. 953 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.B. No. 953, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF AGRICULTURE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 423) recommending that Senate Bill No. 66 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 66, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 424) recommending that Senate Bill No. 1290, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1290, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 425) recommending that Senate Bill No. 372, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 372, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF STANDARD BAR," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 426) recommending that Senate Bill No. 664, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 664, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION ASSISTANCE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 427) recommending that Senate Bill No. 977, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 977, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 428) recommending that Senate Bill No. 167, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Holt and carried, the report of the Committee was adopted and S.B. No. 167, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FACTORY-BUILT HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senators Cobb and Young, for the Committee on Consumer Protection and Commerce and the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 429) recommending that Senate Bill No. 1003, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Young and carried, the joint report of the Committees was adopted and S.B. No. 1003, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND SALES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 430) recommending that Senate Bill No. 688, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 688, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LIQUOR COMMISSIONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 431) recommending that Senate Bill No. 678, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 678, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXCHANGE OF REAL PROPERTY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 432) recommending that Senate Bill No. 1004, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 1004, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUORS," passed Second Reading and was placed on the calendar for Third Reading on

Wednesday, March 16, 1983.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 433) recommending that Senate Bill No. 806, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 806, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT FOR GOODS AND SERVICES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 434) recommending that Senate Bill No. 663 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 663, entitled: "A BILL FOR AN ACT RELATING TO CONCESSION BID DEPOSITS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 435) recommending that Senate Bill No. 546, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 546, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 436) recommending that Senate Bill No. 1283, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki,

seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 1283, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 437) recommending that Senate Bill No. 309, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried the report of the Committee was adopted and S.B. No. 309, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARTHQUAKES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 438) recommending that Senate Bill No. 656, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 656, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION AND RESOURCES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 439) recommending that Senate Bill No. 1285, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 1285, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Abercrombie, for the

majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 440) recommending that Senate Bill No. 276, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Mizuguchi and carried, the report of the majority of the Committee was adopted and S.B. No. 276, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPULSORY SCHOOL ATTENDANCE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 441) recommending that Senate Bill No. 1046, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 1046, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL PRIORITY FUND," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 442) recommending that Senate Bill No. 1047 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 1047, entitled: "A BILL FOR AN ACT RELATING TO RESTITUTION FOR VANDALISM OF PUBLIC SCHOOLS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 443) recommending that Senate Bill No. 1050 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 1050,

entitled: "A BILL FOR AN ACT RELATING TO ATTENDANCE AT CLASSES OUTSIDE A SCHOOL DISTRICT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 444) recommending that Senate Bill No. 1057, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 1057, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER EDUCATION INSTRUCTORS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 445) recommending that Senate Bill No. 1270, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 1270, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 446) recommending that Senate Bill No. 1372, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 1372, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Uwaine, for the majority of the Committee on Transportation, presented a report (Stand. Com. Rep. No. 447) recommending that Senate Bill No. 369 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Uwaine, seconded by Senator Yamasaki and carried, the report of the majority of the Committee was adopted and S.B. No. 369, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY LAW," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Uwaine, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 448) recommending that Senate Bill No. 418, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Uwaine, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 418, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KONA AIRPORT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Uwaine, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 449) recommending that Senate Bill No. 741, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 449 and S.B. No. 741, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY VEHICULAR TAX REFUNDS; VEHICLES REMOVED FROM THE STATE; JUNKED VEHICLES; VEHICLES BROUGHT INTO THE STATE; EXEMPTIONS FOR STORED VEHICLES," was deferred until Wednesday, March 16, 1983.

Senator Uwaine, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 450) recommending that Senate Bill No. 742, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 450 and S.B. No. 742, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DERELICT VEHICLE; SALE OF ABANDONED VEHICLES BY TOWING COMPANIES; AND MOTOR VEHICLE REPAIR BUSINESS," was deferred until Wednesday, March 16, 1983.

Senator Uwaine, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 451) recommending that Senate Bill No. 749 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Uwaine, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 749, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Uwaine, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 452) recommending that Senate Bill No. 1247, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Uwaine, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1247, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Toguchi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 453) recommending that Senate Bill No. 324, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.B. No. 324, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Toguchi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 454) recommending that Senate Bill No. 383, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.B. No. 383, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEED," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Toguchi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 455) recommending that Senate Bill No. 388, as amended in S.D. 1, pass

Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.B. No. 388, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PRODUCT PROMOTION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Toguchi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 456) recommending that Senate Bill No. 651 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.B. No. 651, entitled: "A BILL FOR AN ACT RELATING TO STATE FAIRS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Aki, for the Committee on Culture and Arts, presented a report (Stand. Com. Rep. No. 457) recommending that Senate Bill No. 194, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 194, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN AMENDMENT TO SECTION 314-8, HAWAII REVISED STATUTES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 458) recommending that Senate Bill No. 956, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 956, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUITS AGAINST THE STATE AND THE VARIOUS COUNTIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 459) recommending that Senate Bill No. 1161, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Abercrombie and carried, the report of the majority of the Committee was adopted and S.B. No. 1161, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 460) recommending that Senate Bill No. 1239, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1239, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES FOR FRIVOLOUS CLAIMS OR DEFENSES IN CIVIL ACTIONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 461) recommending that Senate Bill No. 747, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 747, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, AND SEPARATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 462) recommending that Senate Bill No. 313, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and S.B. No. 313, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS AND EXPENDITURES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 463) recommending that Senate Bill No. 196, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 196, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLACE OF IMPRISONMENT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 464) recommending that Senate Bill No. 347, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 347, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF FIREARMS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 465) recommending that Senate Bill No. 1092, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1092, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ATTORNEY GENERAL," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a

report (Stand. Com. Rep. No. 466) recommending that Senate Bill No. 1157, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1157, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF CONVICTED PERSONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 467) recommending that Senate Bill No. 596, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 596, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 468) recommending that Senate Bill No. 580, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 580, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE INVESTIGATING COMMITTEES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 469) recommending that Senate Bill No. 1140 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1140, entitled: "A BILL FOR AN ACT RELATING TO THE CRIMINAL JUSTICE SYSTEM IMPROVEMENT ACT," passed Second Reading and

was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 470) recommending that Senate Bill No. 748, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 748, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, AND SEPARATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

THIRD READING

Senate Bill No. 362, S.D. 1:

On motion by Senator Chang, seconded by Senator Hagino and carried, S.B. No. 362, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT PROGRAM OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Abercrombie, Carpenter, Cayetano and Fernandes Salling). Excused, 1 (Uwaine).

Senate Bill No. 242:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 242, entitled: "A BILL FOR AN ACT RELATING TO PILOTAGE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Kawasaki). Excused, 1 (Uwaine).

RECONSIDERATION OF ACTION TAKEN

Senate Bill No. 129:

Senator Machida moved that the Senate reconsider its action taken on Thursday, March 10, 1983, on Stand. Com. Rep. No. 238 and S.B. No. 129, seconded by Senator Young and carried.

On motion by Senator Machida, seconded by Senator Young and carried, Stand. Com. Rep. No. 238 and S.B. No. 129, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were recommitted to the Committee on Health.

Senate Bill No. 822, S.D. 1:

Senator Machida moved that S.B. No. 822, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Young.

At this time, Senator Fernandes Salling rose to speak against the measure and stated:

"Mr. President, I rise to speak in opposition of this bill.

"While I have no objection to this council being increased to 25 members, I have some reservations about the fact that this would not entail any additional cost to the state.

"It was mentioned to us by the committee chairman that these 10 new additional members will be from the Island of Oahu. There's no statement or anything to reflect that in the Senate bill, which could mean that two years from today those people could be from neighbor islands thus entailing additional cost to the state."

The motion was put by the Chair and carried, and S.B. No. 822, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEVELOPMENTAL DISABILITIES COUNCIL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 13. Noes, 11 (Abercrombie, Carpenter, Cayetano, Cobb, Fernandes Salling, George, Henderson, Kawasaki, A. Kobayashi, Kuroda and Soares). Excused, 1 (Uwaine).

Senate Bill No. 605, S.D. 1:

By unanimous consent, action on S.B. No. 605, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES," was deferred until Wednesday, March 16, 1983.

Senate Bill No. 980, S.D. 1:

By unanimous consent, action on S.B. No. 980, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY HOSPITALS," was deferred until Wednesday, March 16, 1983.

Senate Bill No. 761:

By unanimous consent, S.B. No. 761, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was recommitted to the Committee on Health.

Senate Bill No. 222, S.D. 1:

Senator Cobb moved that S.B. No. 222, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chang.

Senator Fernandes Salling rose to speak against the bill as follows:

"Mr. President, I rise to speak in opposition to this bill. I really have no objections to the fact that someone who is selling real property should bear that extra burden and advise his buyer that the property is within a flood zone or a flood way, but to apply that burden to someone such as a landlord who is not in the business of renting, but just a common person down the street and to apply that higher burden to him to advise his tenant, those that have been renting from him for over a year that this property is within a flood way or flood zone is too much, I think, for him to bear.

"Some testimony was given that the flood maps and the areas are clearly delineated for the Island of Oahu, but I'd like to point out that at least for the Island of Kauai the maps are very difficult to find. Once you track them down they have to be interpreted. As an example, while dealing with a person involved with the public works people ... and it was not easy to determine what property was within a flood zone and what was in a flood way.

"Therefore, based on those reasons, I object to the fact that this burden is being applied to the landlord. Thank you."

Senator Cobb, in support of the measure, stated as follows:

"Mr. President, I rise to speak in favor of the bill.

"A compromise was arrived at in committee limiting it to leases of one year or longer where there would be a substantial investment in personal property on the part of the tenant, and that, if it was even close to being in a flood area, there should be notice given to the tenant by the owner, in this case the landlord, so that the tenant would have a

reasonable expectation of being able to insure against flood damage of his personal possessions which would be moved on a large scale.

"Furthermore, there are some differences of opinion as to how good each of the county maps are, but if there is even a question of that, it is highly recommended that flood insurance be taken out because if the structure is destroyed in a flood area, replacing it is a matter of great cost and concern because of the federal flood insurance requirements."

Senator Abercrombie spoke against the measure and stated:

"Mr. President, I speak against the bill because I think the committee's made clear enough what's involved. The reason that I feel I must vote 'no' and perhaps if we'd been able to deal with it earlier, there might have been able to be changes, but the information does not apply to those who rent for one year or less. And I feel that people who, if the idea is to inform people that they are in a flood area, I think that many of the people who rent are in these areas and a few of them I suspect have a lease, if you're lucky enough to get a lease these days ... at least for more than one year, and therefore they might not know, and their goods and the things that they have could be damaged and I'm not sure what their insurance situation would be.

"If the idea of the bill was to inform people that they are indeed in a flood area, I think that renters are just as valuable people and the things that they treasure are just as valuable to them as the property itself. So, therefore, I don't feel that I can support the bill in good conscience. If it was changed to let renters know about it as well, well then I feel I could support it."

Senator Cobb, in response, stated as follows:

"Mr. President, that was precisely the dilemma we faced in committee. The question was whether or not to include all renters, no renters, and so the compromise was arrived at of renters for one year or more."

The motion was put by the Chair and carried, and S.B. No. 222, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALES AND TRANSFERS OF REAL PROPERTY SITUATED IN FLOOD AREAS," having been read throughout, passed Third Reading on the following showing of

Ayes and Noes:

Ayes, 20. Noes, 4 (Abercrombie, Cayetano, Fernandes Salling and Kawasaki). Excused, 1 (Uwaine).

Senate Bill No. 179, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 179, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS AND SOLICITORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Uwaine).

Standing Committee Report No. 258 (S.B. No. 891, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 258 be adopted and S.B. No. 891, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Kawasaki rose to speak against the bill as follows:

"Mr. President, I rise to speak against passage of this bill primarily because I believe this is going to set a bad precedent in contracts negotiated between the State Government and private contractors, where the contract document itself does not permit permissive language to say that if the contractor finds that the contract price that he had agreed to is far below what his costs eventually got to be, then the state will take care of the cost overrun. I think this sets a bad precedent.

"We are in effect guaranteeing that the contractor does not lose money. On the other hand we have no requirement that when a contractor enters into a contract with the state at a given figure and the figure that was agreed to happens to be much more than his actual cost, resulting in a substantial profit, that profit margin will revert back to the state. This is the other side of the coin, when applied to this bill before us.

"When people do enter into a duly constituted contract with no language to permit overruns, then I think it behooves both parties to the contract to abide by the terms of the contract. The contractor takes his chances; the state takes its chances; and so I think passing a bill like this is setting a real bad precedent and we should not vote for this bill."

Senator Abercrombie also spoke against the measure and stated as follows:

"Mr. President, I think that the previous speaker's remarks need a bit of elaboration.

"If you were in a situation in which there is a, say, as happened at the university five some years back where tests were done, core tests were done to determine the kind of soil that was being dealt with, and even though the tests were done according to the specifications, unfortunately, the specifications were not sufficient at that time, in their scope to actually reveal the kind of soil that the parking garage that is presently in the quarry was going to have to deal with. As a result of that, I recall very clearly, a \$500,000 change order. In those days, I thought that was a lot of money. Which shows you where we are at today.

"There were cracks appearing in the parking garage structure so they had to make a change. This is entirely different. We're not talking about that kind of thing.

"I remember when the freeway went through the Kaimuki area and there were similar kinds of problems with respect to just how difficult the rock was going to be dealt with. That's one thing, okay, but, that's not what this deal is at all. And maybe this is a failure of not being able to have a full-time auditor on these kinds of things in the Legislature itself.

"The very people who help set up this deal are the ones who then make a judgment as to whether as the report says, and this is the DPED and the Attorney General, '...consider the settlement to be equitable and in the best interest of the state.' Where do you get this?

"They say, 'Oh, this was a new project; there was new technology involved.' If that was the case, you mean to tell me that the attorneys for Hawaiian Dredging are so naive that they didn't think that they might have to have a clause like that in their contract. That wasn't put in there because what they're dealing with here actually isn't all that exotic at all. Just because the concept in mini-OPEC hasn't been explored to any degree here doesn't mean that the technology involved itself is exotic; it isn't.

"Under those circumstances my understanding in addition is that

there was negotiation as to what the price might be and it turned out that that wasn't the figure that it ended up being either so they did it again, and then they come up with this \$321,000 figure.

"Now, the fact of the matter is, I believe as well, is that HD&C asked for even more than this. So, it's the idea that you just pull out a figure that's outrageous and then settle for half of it and say that you made a compromise. I don't think that this is the way to do it. These companies are never going to stop this kind of thing until we turn them down.

"There's another point that needs to be raised as well. There's some suspicion in my mind that some of these companies may be purposely making bids that are lower than what they believe is going to be their actual cost on the grounds that they can always go back and renegotiate the contract and come in to collect later.

"Now, when you are dealing with a company like HD&C, it seems that they appear with startling regularity in the Legislature for some kind of settlement, and everything is all supposed to be very fair and equitable. I'm quite serious about it. We debate issues here; we go in to commit \$5,000 here, \$3,000 there, and you think the world was ending, but, boy, if you can get \$300,000 or a million bucks and run it over.

"Every year Ways and Means is faced with these kinds of settlements, and we always run them through because the big guys get. I can't see why we're going to put out \$300,000 now. Let them eat it; let them be more careful next time. Tell the state to shape up a little more; straighten out a little more.

"Maybe companies will be a little more precise when they make bids if they know that we are going to hold the Department of Accounting and General Services or anybody else who's putting out contracts to a higher standard.

"Why should private business have to be held to a standard, and when it comes to the state, as long as it is the taxpayers' bucks it doesn't make any difference. Let them overrun the contract. Who cares? The suckers in the Legislature will vote it anyway. This is what happens year after year. This is a good opportunity for us to say no.

"I see heads bobbing all around the room and I know my logic is irrefutable. Thank you very much."

Senator Yamasaki then spoke in support of the measure and stated:

"Mr. President, I just want to make a brief statement in favor of this bill.

"Both the Judiciary Committee and the Ways and Means Committee have had the opportunity to review this bill and upon review, we have found that it has merit and we'd like to ask for your favorable approval of this bill."

Senator Kawasaki then rose to speak against the bill and stated:

"Mr. President, speaking against this bill again, the thought further occurred to me just now ... supposing we had a situation where there were several contractors bidding for this contract and the contract terms did not, first of all, allow, as I said, for permissive language to say that if the cost got to be larger than the contract called for, then these overrun gifts would be coming to the contractor. And the unsuccessful bidders just figured they couldn't get the job according to the specs so they did not bid on this contract. The successful bidder was fortunate enough to get it. His cost overrun got to be such that he thought he could make a claim to the state and he receives that cost overrun figure. This, I think, creates a great injustice to those companies who did not realize the cost overrun for whatever the figure was going to be, eventually, would have been permitted by the state. They did not know that this was to be something that they could perhaps adjust their thinking on.

"And, again, as I said, this poses inequity on those people who did not get the job. Who did not realize that cost overrun considerations would be entering into the ultimate price that the contractor receives. This, I think, is not right; it sets a bad precedent. I believe we should vote this bill down."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 258 was adopted and, Roll Call vote having been requested, S.B. No. 891, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF NEGOTIATED SETTLEMENT BETWEEN RESEARCH CORPORATION OF THE

UNIVERSITY OF HAWAII AND HAWAIIAN DREDGING AND CONSTRUCTION COMPANY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Abercrombie, Ajifu, Cayetano, Fernandes Salling and Kawasaki). Excused, 1 (Uwaine).

Senate Bill No. 941:

By unanimous consent, action on S.B. No. 941, was deferred to the end of the calendar.

Standing Committee Report No. 260 (S.B. No. 387, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 260 and S.B. No. 387, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF PINEAPPLES," were recommitted to the Committee on Ways and Means.

At 5:59 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:00 o'clock p.m.

Standing Committee Report No. 261 (S.B. No. 385, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 261 and S.B. No. 385, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," were recommitted to the Committee on Ways and Means.

Senate Bill No. 210:

By unanimous consent, action on S.B. No. 210, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was recommitted to the Committee on Ways and Means.

Senate Bill No. 109, S.D. 1:

By unanimous consent, action on S.B. No. 109, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," was deferred until Tuesday, March 15, 1983.

Senate Bill No. 379, S.D. 1:

By unanimous consent, S.B. No. 379, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX LAW," was

recommitted to the Committee on Ways and Means.

Senate Bill No. 508:

By unanimous consent, S.B. No. 508, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE," was recommitted to the Committee on Human Resources.

Senate Bill No. 510:

By unanimous consent, S.B. No. 510, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD," was recommitted to the Committee on Human Resources.

Senate Bill No. 1187:

Senator Carpenter moved that S.B. No. 1187, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Cayetano rose to speak against the measure and stated:

"Mr. President, I rise to speak against this bill.

"Mr. President, this bill proposes to extend the Good Samaritan immunity from liability to anyone who without expectation of compensation and as a public service publishes emergency first aid information.

"The intent of this bill, Mr. President, is very good; however, I think extension of the Good Samaritan principle to this particular area is not warranted. The Good Samaritan immunity, the principle of that immunity, was granted to encourage people who happen upon emergency type of situations to render aid, and the thought was that in such circumstances it was in the community's best interest to encourage people to render aid without fear of being sued.

"In the Good Samaritan type of situation, we have true emergency. A person who renders aid cannot go to the medical books for information. He cannot consult with doctors. He has to render aid right there and then. This bill proposes to extend that kind of protection to people who print or publish such information.

"I think, basically, what we're talking about here is, for example, Hawaiian Telephone publishing emergency first aid information in their telephone directory, or maybe

Hawaiian Electric doing the same thing, or some of the other companies rendering that kind of information as a public service, which, I think, is hardly the same. The situation and the facts and the circumstances are different.

"In the latter case, the telephone company, for example, has the opportunity to consult with medical practitioners to make certain that the information which will be published in their directory or in any book is accurate. This bill proposes to exempt them from negligence.

"In order to sue the Good Samaritan in that kind of situation, you would have to find the Good Samaritan guilty or liable of gross negligence which is a very high burden of proof and very, very difficult to do. We just cannot continue to extend this particular principle because it makes really a mockery of the whole idea of Good Samaritans in the first place.

"Companies that print or publish emergency first aid information should bear the burden of any mistake that they make. But, if this bill passes and becomes law, what it means is that if you have an emergency situation, a poisoning for example, and you turn to your telephone directory and looking at the information printed therein you render aid, and the person whom you're assisting or giving aid to is injured or dies, he cannot sue the telephone company. And why should that be? It would seem to me that the company has the resources to look into that information, has the time, and this is simply not an emergency.

"For those reasons I ask my colleagues to vote down this bill which has come before us for the last four years. Thank you."

Then, Senator Carpenter rose to speak in support of the bill and stated:

"Mr. President, I rise to speak in favor of this bill.

"This bill, I think, has been before us before. I don't know exactly how many years.

"Mr. President, it is, indeed, as the good Senator from Leeward Oahu pointed out, an extension of the Good Samaritan statute.

"Mr. President, I think that in the Pacific telephone system where the Bell Telephone system operates in the

entire West Coast of the Pacific Coast of the United States, they have printed this kind of information. They have never been sued in the number of years that this information has been available.

"Every telephone book, in essence, becomes a ready reference book for a life-giving action if it becomes necessary to do so. It codifies that which already exists in court actions taken throughout the U.S.

"I believe this to be an exceptional bill and that it ought to go forward at this time. Thank you."

Senator Fernandes Salling spoke against the measure and stated:

"Mr. President, I don't believe that the Good Samaritan principle should be applied to situations such as this. It should really just be applied to the situation described by Senator Cayetano, which is based upon the common law principle that if a person stops and gives aid, then he shouldn't be held liable if in fact that aid did in fact hurt the person in some way, manner, or form.

"I think to hold the telephone company and others who are printing this information to the simple negligence text would be sufficient and I don't think that it would deter them from printing information if they were bound by this simple test of negligence.

"To extend this Good Samaritan principle to cover this kind of area shouldn't be done. It was brought out on a limited basis to deal with those people who stop on the side of the road to give and render aid to victims and in no other situation have I seen it applied. Thank you."

The motion was put by the Chair and carried, and S.B. No. 1187, entitled: "A BILL FOR AN ACT RELATING TO TORT ACTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Abercrombie, Cayetano, Fernandes Salling, Kawasaki and Kuroda).

Senate Bill No. 247, S.D. 1:

Senator Cobb moved that S.B. No. 247, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chang.

Senator Abercrombie spoke against

the measure and stated:

"Mr. President, I'm speaking against the bill because if you'll notice, it extends in lieu of a bond required, previous requirement of a bond, the so-called irrevocable letter of credit.

"I just finished reading a book recently how letters of credit were utilized to rob the Bank of England for an incredible amount of money. The only reason the people got caught was that they messed up a couple of dates on the letter of credit. The reason, of course, that they were able to get away with it is that they had the credit. It's a reflection of class bias.

"The other part about it is that it has all the banks, savings and loan and other financial institutions authorized to do business in this state and if you have a bond, of course you can go and collect from the bonding company. If you have a letter of credit you teach your grandmother to suck eggs, I think is the expression.

"I wonder what the irrevocable letter of credit would have done for anybody who got one from Manoa Finance? Thank you."

Senator Cobb responded as follows:

"Mr. President, to answer the question, they would have gone to the State Guarantee Fund, like many of the depositors are doing. They would also have gone to the personal assets of whoever signed the letter of credit and in correspondence with another bill that is coming out of the Committee on Consumer Protection and Commerce they would have gone to the Federal Deposit and Insurance Corporation because all industrial loan companies are going to be put under them. Thank you."

Senator Abercrombie then remarked: "Mr. President, not so much in rebuttal but in response, there may be another bill coming out but, again, I don't think there is gambling allowed on the floor of the State Senate, so unless you want to make a combination bet I think it best to vote this one down."

The motion was put by the Chair and S.B. No. 247, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE AND COLLECTION SERVICING AGENTS," having been read throughout, passed Third Reading on the following showing of

Ayes and Noes:

Ayes, 22. Noes, 3 (Abercrombie, Cayetano and Fernandes Salling).

RECONSIDERATION OF ACTION TAKEN

Senator Mizuguchi moved that the Senate reconsider its action taken on Friday, March 11, 1983 on Stand. Com. Rep. No. 283 and S.B. No. 198, seconded by Senator Abercrombie and carried.

On motion by Senator Mizuguchi, seconded by Senator Abercrombie and carried, Stand. Com. Rep. No. 283 and S.B. No. 198, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," were recommitted to the Committee on Human Resources.

THIRD READING

Senate Bill No. 343, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Abercrombie and carried, S.B. No. 343, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 519:

On motion by Senator Mizuguchi, seconded by Senator Abercrombie and carried, S.B. No. 519, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 328, S.D. 1:

Senator Young moved that S.B. No. 328, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Holt.

Senator Young spoke for the measure as follows:

"Mr. President, presently, a landlord cannot discriminate against a person because of race, color, religion, marital status, ancestry and physical handicap. This bill adds to the list that one cannot discriminate also on parental status.

"With Hawaii's low rental rate, many singles, especially women with children, are having difficulty finding affordable housing. Under our labor laws we protect our children from working conditions. We also assure children of public education. It is a sad day when we cannot assure our children of a basic need -- adequate housing."

Then, Senator Kawasaki rose to speak against the bill as follows:

"Mr. President, at the risk of being labeled a child hater, I wish to speak against this bill because, really, I love children. I'm one of those doting grandfather types.

"It just seems to me that this is an imposition on the private property rights of people who do own apartments, condominiums and rental housing units. I think the discretion should be left to the landlord.

"At a time when we are very much concerned about the lack of housing units for people who can't own their own homes and looking for rental units, I think a bill such as this, enacted into statute, would discourage people from putting up private enterprise money to put up rental units to meet a basic need that we have in this community.

"As I said, while we all love children, grandchildren, dearly, we know that some of our kids, some of our grandchildren are little holy terrors when damage to property is concerned. We know that people who do have nice homes, nice furnishings, are a little concerned about having three or four kids romp around the living room, and there is legitimate concern on the part of landlords who do try to maintain their rental units in good shape.

"I think that the discretion should be left as it is today with the owners of these rental units and we not impose a mandatory law on these people to say, 'you will rent to a family with children whether you like it or not.' This is, to me, a violation of basic private property rights.

"For that reason, I speak against this bill and ask my colleagues to consider that."

The motion was put by the Chair and carried, and S.B. No. 328, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS," having been read

throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Fernandes Salling and Kawasaki).

Senate Bill No. 676, S.D. 1:

Senator Young moved that S.B. No. 676, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Holt.

Senator Soares rose to speak against the measure and stated:

"Mr. President, I rise to speak against this bill and take the position that while I understand the philosophy behind the park dedication as being a necessary one for the parks for our state, I figure it's a little unfair to label the hotels as users of parks because their guests use the parks, therefore, they should be considered a part of subdivisions under the law.

"If you look around the state and find all these golf courses that are now both for hotel guests and the public ... when you look around, all these hotels have constructed large tennis courts, many tennis courts that are used by both their guests and for the public at no cost to the public, you look at some of these developers like Wailea, Kaanapali, Keauhou and others that are really part of the community, I find that this law does not treat them fairly. I think that with all that they've given in terms of activities and recreation areas to the constituency in the various locations, they shouldn't be added to subdivisions.

"I'm going to vote no."

The motion was put by the Chair and carried, and S.B. No. 676, S.D. 1, entitled: "A BILL FOR AN ACT AMENDING SECTION 46-6, HAWAII REVISED STATUTES, RELATING TO PARKS AND PLAYGROUNDS FOR SUBDIVISIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Henderson, Soares and Solomon).

Senate Bill No. 703, S.D. 1:

By unanimous consent, S.B. No. 703, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was recommitted to the Committee on

Housing and Urban Development.

Senate Bill No. 969:

By unanimous consent, action on S.B. No. 969, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," was deferred until Tuesday, March 15, 1983.

Senate Bill No. 209:

By unanimous consent, S.B. No. 209, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," was recommitted to the Committee on Human Resources.

Senate Bill No. 80, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 669, S.D. 1:

By unanimous consent, action on S.B. No. 669, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Wednesday, March 16, 1983.

Senate Bill No. 305, S.D. 1:

Senator Uwayne moved that S.B. No. 305, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

Senator George rose to speak against the bill and stated:

"Mr. President, I just wanted to put in a pitch, voting against this bill. I think the bill makes no distinction between a seat which is designed to carry children fastened to and usable on a bicycle. It makes no distinction between the use of such device on a relatively quiet residential street where a mother might put a kid in such a seat on a bicycle and go down to a family local supermarket, and riding with such a device on the bicycle on a very busy street. I would hesitate to deprive mothers, who are generally extremely solicitous about the welfare of their kids, an opportunity of getting them out of the house and going down to the market.

"I urge that we vote against this

bill and retain the language as originally written in the law. Thank you."

Senator Abercrombie, in opposition of the measure, stated: "Mr. President, I'm against the bill for somewhat the same reasons but I would like to remind the previous speaker that fathers also ride bikes down to the market and take their kids with them"

The motion was put by the Chair and carried, and Roll Call vote having been requested, S.B. No. 305, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BICYCLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 9 (Abercrombie, Cobb, Fernandes Salling, George, Hagino, Henderson, Holt, B. Kobayashi and Soares).

Senate Bill No. 389, S.D. 1:

On motion by Senator Uwayne, seconded by Senator Aki and carried, and Roll Call vote having been requested, S.B. No. 389, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER RESTRAINT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 9 (Abercrombie, Cayetano, Cobb, Fernandes Salling, Henderson, Holt, Solomon, Yamasaki and Young).

At 6:18 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:27 o'clock p.m.

Standing Committee Report No. 327 (S.B. No. 302, S.D. 1):

Senator Yamasaki moved that Stand. Com. Rep. No. 327 be adopted and S.B. No. 302, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Soares spoke in support of the measure as follows:

"Mr. President, I cannot let this bill pass without saying, on behalf of the bill, that after many years of the Republican position on the exemption of food and drugs, we finally saw the light. We're passing a bill on

prescription drugs. Very good bill."

Senator Kawasaki, also in support of the measure, stated:

"Mr. President, while I'm voting for this bill, it behooves me to remind the Republicans across the aisle that long before the Republicans even introduced the bill to this effect, Democrats, one of whom was I, introduced a bill such as this.

"My only concern here is that we have no mechanism to assure that the savings, enjoyed by the retail merchants as a result of the elimination of the 4% excise tax on drugs and prescriptions, will be in effect passed on to the consumers. There's nothing in the way of a mechanism that prevents the retail merchants from raising the price to what it was with the tax, even with the tax removed.

"I would hope that somehow, either the Senate Committee on Consumer Protection or the Ways and Means Committee, in the interim or at any other time, will work out some mechanism to encourage the retail merchants to, for certainty, pass on the 4% savings that will be eliminated in the way of a gross income tax charge. This happening, we'll all be very happy to support bills like this even for food, as a basic item of necessity.

"We will be watching very closely what the retail merchants do after the tax is removed on drugs and prescriptions."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 327 was adopted and S.B. No. 302, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 328 (S.B. No. 1256, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 328 and S.B. No. 1256, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS, SCHOLARSHIPS AND FINANCIAL AIDS AT THE UNIVERSITY OF HAWAII," was recommitted to the Committee on Ways and Means.

Standing Committee Report No. 334

(S.B. No. 839, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 334 was adopted and S.B. No. 839, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Abercrombie, Cayetano and Toguchi).

Standing Committee Report No. 338 (S.B. No. 215, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 338 be adopted and S.B. No. 215, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

At this time, Senator George asked if the chairman of the Ways and Means Committee would yield to a question, and the chairman having replied in the affirmative, Senator George asked:

"Mr. President, when this bill left the Committee on Transportation it was without the requirement that there be an annual registration fee of \$25.00 from each owner. I think that is the only substantial alteration that was made in the bill by the Ways and Means Committee. I was wondering if the chairman might explain the reason for adding a \$25.00 registration fee when said aircraft are already registered and charged a fee by the Federal Government?"

Senator Yamasaki answered as follows:

"Mr. President, yes, I believe that during the hearing of the Ways and Means Committee this question was asked of the Department of Transportation and we learned that the Department of Transportation was not collecting ... was not assessing any fees for this type of aircraft, and we felt that it was reasonable to assess some kind of fee for the premises the aircraft uses at the various airports in the State of Hawaii. Those who own aircraft, we believe, can afford to pay a reasonable fee for the use of the facilities.

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 338 was adopted and S.B. No. 215, S.D. 2, entitled: "A BILL FOR

AN ACT RELATING TO THE REGISTRATION OF AIRCRAFT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (George and Soares).

Standing Committee Report No. 339 (S.B. No. 89):

Senator Solomon moved that Stand. Com. Rep. No. 339 be adopted and S.B. No. 89, having been read throughout, pass Third Reading, seconded by Senator Toguchi.

Senator Kawasaki rose to speak against the bill as follows:

"Mr. President, I rise to speak against passage of this bill.

"This bill in actuality provides government agencies the ability to contract out services that are mandated to be provided to immigrants.

"I think I spoke against passage of this bill in former years and this bill, of course, contains the language that I object to and this is the reason I speak against it.

"I think it is one thing for the laws of the State of Hawaii to use permissive language to say that the state departments may provide outreach services for immigrants, programs for acculturation and these types of services. But, at a time when we're cutting down the appropriations for human services to residents of the state, when we allow these types of broad language contained in the original version of the bill to remain, I think perhaps our sense of values are a little distorted here.

"It seems to me the passage with its original language, which I speak against, absolves the sponsors of these immigrants who come here, (the original sponsors who brought these people here) the responsibility of assuming the burden of providing acculturation services ... adjustments to our mores, adjustments to our way of life here in our community.

"I believe the burden should be placed very squarely on the sponsors of these immigrants and we not pass statutes to mandate that our state government provide these kinds of services. And language, if it's necessary, be permissive so the state agencies, DSSH, the Health

Department, etc., may provide the services needed by these people.

"I just object to the mandate type of language that is contained in this bill and for that reason I speak against the bill."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 339 was adopted and S.B. No. 89, entitled: "A BILL FOR AN ACT RELATING TO THE STATE IMMIGRANT SERVICES CENTER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Senate Bill No. 804:

On motion by Senator Chang, seconded by Senator Hagino and carried, S.B. No. 804, entitled: "A BILL FOR AN ACT RELATING TO PROTECTION OF INSTREAM USES OF WATER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Ajifu).

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Senate Bill No. 941:

Senator Yamasaki moved that S.B. No. 941, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

At this time, Senator Henderson, as an officer of a motor dealership company, rose to request a ruling of the Chair as to a conflict of interest, and the Chair ruled that Senator Henderson is in conflict and is excused from voting on the measure.

The motion was put by the Chair and carried, and S.B. No. 941, entitled: "A BILL FOR AN ACT RELATING TO USE TAX OVERPAYMENTS BY GENERAL MOTORS DEALERSHIPS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Henderson).

The Chair then announced that the Senate will be in recess for approximately half an hour in order that distribution of additional standing committee reports on third reading bills may be made.

At 6:43 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:27 o'clock p.m.

STANDING COMMITTEE REPORTS

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 471) recommending that Senate Bill No. 569, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 569, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY AND FITNESS TO PROCEED," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 472) recommending that Senate Bill No. 489, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 489, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Carpenter, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 473) recommending that Senate Bill No. 1100, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 473 and S.B. No. 1100, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," was deferred until Wednesday, March 16, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 474) recommending that Senate Bill No. 58 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cayetano and

carried, the report of the Committee was adopted and S.B. No. 58, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL CRIMES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Fernandes Salling, for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 475) recommending that Senate Bill No. 924 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Fernandes Salling, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 924, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Fernandes Salling, for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 476) recommending that Senate Bill No. 724, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Fernandes Salling, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 724, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 477) recommending that Senate Bill No. 934, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 934, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL RECORDS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 478) recommending

that Senate Bill No. 361, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 361, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES PROGRAM," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Machida, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 479) recommending that Senate Bill No. 359, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Young and carried, the report of the majority of the Committee was adopted and S.B. No. 359, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOODS, DRUGS, AND COSMETICS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 480) recommending that Senate Bill No. 236, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 236, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMED CONSENT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Toguchi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 481) recommending that Senate Bill No. 993 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.B. No. 993, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Solomon, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 482) recommending that Senate Bill No. 1146, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Solomon, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 1146, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Solomon, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 483) recommending that Senate Bill No. 717, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 483 and S.B. No. 717, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREVENTIVE MEDICINE," was deferred until Wednesday, March 16, 1983.

Senator Machida, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 484) recommending that Senate Bill No. 850 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Young and carried, the report of the majority of the Committee was adopted and S.B. No. 850, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 328, HAWAII REVISED STATUTES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Machida, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 485) recommending that Senate Bill No. 851 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Young and carried, the report of the majority of the Committee was adopted and S.B. No. 851, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 328, HAWAII REVISED STATUTES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 486) recommending that Senate Bill No. 764, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 764, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 487) recommending that Senate Bill No. 810, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the majority of the Committee was adopted and S.B. No. 810, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 488) recommending that Senate Bill No. 191, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 191, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 489) recommending that Senate Bill No. 177, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and

carried, the report of the Committee was adopted and S.B. No. 177, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 490) recommending that Senate Bill No. 640, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the majority of the Committee was adopted and S.B. No. 640, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 491) recommending that Senate Bill No. 169, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 169, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE REPAIR INDUSTRY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 492) recommending that Senate Bill No. 785, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 785, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREDIT SALES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce,

presented a report (Stand. Com. Rep. No. 493) recommending that Senate Bill No. 786, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 786, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 494) recommending that Senate Bill No. 452 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the majority of the Committee was adopted and S.B. No. 452, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM MANAGEMENT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 495) recommending that Senate Bill No. 801, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 801, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 496) recommending that Senate Bill No. 757, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 757, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO CONTRACTORS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 497) recommending that Senate Bill No. 529, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 529, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 498) recommending that Senate Bill No. 558, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 558, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 499) recommending that Senate Bill No. 29, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 29, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 500) recommending that Senate Bill No. 1465, S.D. 1, as amended in S.D. 2,

pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 1465, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 501) recommending that Senate Bill No. 1464, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, the report of the majority of the Committee was adopted and S.B. No. 1464, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 502) recommending that Senate Bill No. 1461, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, the report of the majority of the Committee was adopted and S.B. No. 1461, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE CONSTITUTION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

At this time, the Chair made the following announcement:

"Members of the Senate, if there be no objections, the Journal will remain open for the purpose of receiving standing committee reports on Senate bills for third reading, copies of which will be placed on your desks as they are printed."

At 7:32 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate stood in recess for the purpose of receiving standing committee reports on bills for third reading.

STANDING COMMITTEE REPORTS

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 503) recommending that Senate Bill No. 1077, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1077, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMERISM IN PUBLIC UTILITIES REGULATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 504) recommending that Senate Bill No. 1069, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1069, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 505) recommending that Senate Bill No. 613, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 613, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 506) recommending that Senate Bill No. 114, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and

carried, the report of the Committee was adopted and S.B. No. 114, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 507) recommending that Senate Bill No. 156, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 156, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 508) recommending that Senate Bill No. 137, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 137, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 509) recommending that Senate Bill No. 1075, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1075, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 510) recommending that Senate Bill No. 195

pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 195, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 511) recommending that Senate Bill No. 526 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 526, entitled: "A BILL FOR AN ACT RELATING TO WIND ENERGY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 512) recommending that Senate Bill No. 756 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 756, entitled: "A BILL FOR AN ACT RELATING TO FILM MAKING," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 513) recommending that Senate Bill No. 1008 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1008, entitled: "A BILL FOR AN ACT RELATING TO COMMISSION ON THE YEAR 2000," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 514) recommending that Senate Bill No.

1082, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1082, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 515) recommending that Senate Bill No. 131, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 131, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DAMS AND RESERVOIRS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 516) recommending that Senate Bill No. 164, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 164, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 517) recommending that Senate Bill No. 907 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 907, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cayetano, for the Committee on Economic Development, presented a

report (Stand. Com. Rep. No. 518) recommending that Senate Bill No. 1072, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1072, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 519) recommending that Senate Bill No. 903, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 903, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cayetano, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 520) recommending that Senate Bill No. 1080, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 1080, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 521) recommending that Senate Bill No. 649, S.D. 1, as amended in S.D. 2, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 649, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OSTEOPATHY," was placed on the calendar for Third

Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 522) recommending that Senate Bill No. 285, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 285, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTE OF LIMITATIONS FOR MOTOR VEHICLE REPARATIONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 523) recommending that Senate Bill No. 1288, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1288, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOXING," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 524) recommending that Senate Bill No. 808 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 808, entitled: "A BILL FOR AN ACT RELATING TO RECEIPTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 525) recommending that Senate Bill No. 1338, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb,

seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1338, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 526) recommending that Senate Bill No. 186, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 186, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE INVESTIGATORS AND GUARDS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 527) recommending that Senate Bill No. 800, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 800, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONAL CONCILIATION PANEL," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 528) recommending that Senate Bill No. 782, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 782, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 529) recommending that Senate Bill No. 176, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 176, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS AND PLUMBERS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 530) recommending that Senate Bill No. 1014, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 1014, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 531) recommending that Senate Bill No. 809, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 809, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 532) recommending that Senate Bill No. 1040, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb,

seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1040, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 533) recommending that Senate Bill No. 14 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 14, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 534) recommending that Senate Bill No. 53, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 53, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRIBUTIONS BY CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 535) recommending that Senate Bill No. 193, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 193, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF VETERINARY MEDICINE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com.

Rep. No. 536) recommending that Senate Bill No. 769, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 769, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 537) recommending that Senate Bill No. 787, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 787, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 538) recommending that Senate Bill No. 515, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 515, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE UNFAIR PRACTICES AND FRAUDS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 539) recommending that Senate Bill No. 326, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 326, S.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO TRANSIENT VACATION RENTALS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 540) recommending that Senate Bill No. 451, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 451, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM MANAGEMENT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 541) recommending that Senate Bill No. 450, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 450, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM MANAGEMENT," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 542) recommending that Senate Bill No. 42, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 42, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELEVATOR MECHANICS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 543) recommending that

Senate Bill No. 666, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 666, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 544) recommending that Senate Bill No. 1337, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1337, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO USURY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 545) recommending that Senate Bill No. 26, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 26, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 546) recommending that Senate Bill No. 1248 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1248, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE," passed Second Reading and was placed on the calendar for

Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 547) recommending that Senate Bill No. 34, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 34, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPEECH PATHOLOGY AND AUDIOLOGY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 548) recommending that Senate Bill No. 805, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 805, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE ACCIDENT REPARATIONS SYSTEM," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 549) recommending that Senate Bill No. 711, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 711, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRACTICING PSYCHOLOGISTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 550) recommending that Senate Bill No. 767, as amended in S.D. 1, pass Second Reading and be

placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 767, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 551) recommending that Senate Bill No. 707, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 707, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 552) recommending that Senate Bill No. 187, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 187, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS, ARCHITECTS AND SURVEYORS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 553) recommending that Senate Bill No. 904, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 904, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAIR DEALERSHIP PRACTICES," passed Second Reading

and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 554) recommending that Senate Bill No. 790, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 790, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 555) recommending that Senate Bill No. 163, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 163, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATIENTS' COMPENSATION FUND," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 556) recommending that Senate Bill No. 4, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 4, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS AND MAKING APPROPRIATIONS THEREFOR," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 557) recommending that Senate Bill No. 5, S.D. 1, as amended in S.D. 2, pass

Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 5, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 558) recommending that Senate Bill No. 370, S.D. 1, as amended in S.D. 2, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 370, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 559) recommending that Senate Bill No. 949, S.D. 1, as amended in S.D. 2, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 949, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 560) recommending that Senate Bill No. 905, S.D. 1, as amended in S.D. 2, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 905, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PRODUCT DEVELOPMENT CORPORATION ACT," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a

report (Stand. Com. Rep. No. 561) recommending that Senate Bill No. 1061, S.D. 1, as amended in S.D. 2, Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1061, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTION OF OVERSEAS SALES OF HAWAII MANUFACTURED ELECTRONIC EQUIPMENT FROM THE GENERAL EXCISE TAX," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 562) recommending that Senate Bill No. 1062, S.D. 1, as amended in S.D. 2, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 1062, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY DEVELOPMENT," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 563) recommending that Senate Bill No. 1085, as amended in S.D. 1, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 1085, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 564) recommending that Senate Bill No. 833, as amended in S.D. 1, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 833, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JOB TRAINING PARTNERSHIP ACT OF 1982," was placed on the calendar for Third Reading on Wednesday, March

16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 565) recommending that Senate Bill No. 834, as amended in S.D. 1, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 834, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISLOCATED WORKERS," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 566) recommending that Senate Bill No. 459, S.D. 1, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 459, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 567) recommending that Senate Bill No. 1279, S.D. 1, as amended in S.D. 2, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1279, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 568) recommending that Senate Bill No. 126, as amended in S.D. 1, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 126, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF CREDIT CARDS FOR HOSPITAL CHARGES," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 569) recommending that Senate Bill No. 306, as amended in S.D. 1, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 306, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 570) recommending that Senate Bill No. 423, S.D. 1, as amended in S.D. 2, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 423, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND SUBSTANCE ABUSE," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 571) recommending that Senate Bill No. 540, S.D. 1, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 540, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 572) recommending that Senate Bill No. 821, as amended in S.D. 1, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 821, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH GERONTOLOGY UNIT," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a

report (Stand. Com. Rep. No. 573) recommending that Senate Bill No. 824, S.D. 1, as amended in S.D. 2, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 824, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 574) recommending that Senate Bill No. 826, as amended in S.D. 1, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 826, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING A SUPPLEMENTARY APPROPRIATION TO FINANCE MEDICAID AND MEDICAID REIMBURSEMENTS LOST AS A RESULT OF THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982 (TEFRA '82)," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 575) recommending that Senate Bill No. 994, as amended in S.D. 1, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 994, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOLOKAI GENERAL HOSPITAL," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 576) recommending that Senate Bill No. 119, S.D. 1, as amended in S.D. 2, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 119, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was placed on the calendar for Third Reading on

Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 577) recommending that Senate Bill No. 608, S.D. 1, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 608, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL ASSISTANCE," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 578) recommending that Senate Bill No. 704, S.D. 1, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 704, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 579) recommending that Senate Bill No. 965, S.D. 1, as amended in S.D. 2, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 965, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 580) recommending that Senate Bill No. 966, S.D. 1, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 966, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 581) recommending that Senate Bill No.

1027, S.D. 1, as amended in S.D. 2, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1027, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LOANS," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 582) recommending that Senate Bill No. 368, as amended in S.D. 1, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 368, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 583) recommending that Senate Bill No. 402, S.D. 1, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 402, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 584) recommending that Senate Bill No. 1048, S.D. 1, as amended in S.D. 2, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1048, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AFTER-SCHOOL PROGRAMS," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 585) recommending that Senate Bill No. 1049, as amended in S.D. 1, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and

carried, the report of the Committee was adopted and S.B. No. 1049, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF THE BOARD OF EDUCATION," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 586) recommending that Senate Bill No. 1089, S.D. 1, as amended in S.D. 2, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1089, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AQUARIUM," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 587) recommending that Senate Bill No. 1122, S.D. 1, as amended in S.D. 2, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1122, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 588) recommending that Senate Bill No. 900, S.D. 1, as amended in S.D. 2, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 900, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LIQUOR TAX," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 589) recommending that Senate Bill No. 937, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb,

seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 937, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAX," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 590) recommending that Senate Bill No. 555, S.D. 1, as amended in S.D. 2, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 555, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SERVICE FEES," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 591) recommending that Senate Bill No. 472, S.D. 1, as amended in S.D. 2, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 472, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 592) recommending that Senate Bill No. 1192, S.D. 1, as amended in S.D. 2, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 1192, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIME COMMISSION," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 593) recommending that Senate Bill No. 20, S.D. 1, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and

carried, the report of the Committee was adopted and S.B. No. 20, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT FOR GOODS AND SERVICES," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 594) recommending that Senate Bill No. 607, S.D. 1, as amended in S.D. 2, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 607, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 595) recommending that Senate Bill No. 1200, S.D. 1, as amended in S.D. 2, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1200, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GUARANTIES BY COUNTIES," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 596) recommending that Senate Bill No. 1251, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 1251, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 597) recommending that Senate Bill No. 1177, as amended in S.D. 1, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and

carried, the report of the majority of the Committee was adopted and S.B. No. 1177, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS BY COUNTIES TO FINANCE MANUFACTURING ENTERPRISES," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 598) recommending that Senate Bill No. 755, as amended in S.D. 1, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 755, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR CONSTRUCTION OF AN ETHANOL PLANT," as placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 599) recommending that Senate Bill No. 827, S.D. 1, as amended in S.D. 2, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 827, S.D. 2, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR QUEEN'S MEDICAL CENTER, OAHU," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 600) recommending that Senate Bill No. 1178, as amended in S.D. 1, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 1178, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS BY COUNTIES TO FINANCE INDUSTRIAL ENTERPRISES," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 601) recommending that Senate Bill No. 857, as amended in S.D. 1, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 857, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 602) recommending that Senate Bill No. 995, as amended in S.D. 1, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 995, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 603) recommending that Senate Bill No. 1245, as amended in S.D. 1, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.B. No. 1245, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 604) recommending that Senate Bill No. 799, as amended in S.D. 1, pass Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 799, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," was

placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 605) recommending that Senate Bill No. 198, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 198, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 606) recommending that Senate Bill No. 129, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.B. No. 129, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 16, 1983.

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 10:30 o'clock a.m., Tuesday, March 15, 1983.

THIRTY-FOURTH DAY

Tuesday, March 15, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:00 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by the Reverend Luuga Vailuu, Pastor of the Samoan United Church of Christ, after which the Roll was called showing all Senators present with the exception of Senators Henderson, A. Kobayashi and Machida who were excused.

The Chair announced that he had read and approved the Journal of the Thirty-Third Day.

At this time, the following introductions were made to the members of the Senate:

Senator Young, on behalf of the Senate, introduced 60 fifth grade students from Pohakea Elementary School in Ewa Beach, accompanied by their teacher, Mr. Horiuchi.

Senator Soares, on behalf of Senator Cobb and himself, introduced 35 fifth and sixth grade students from Holy Nativity School, accompanied by their teachers, Mr. Love and Mrs. Radulovic.

Senator Toguchi, on behalf of the Senators from Windward Oahu, introduced 60 third grade students from Maunawili School, accompanied by their teachers, Sue Watanabe, Yukie Nakano and Carrie Yamamoto.

Senator Holt, on behalf of the Senate, introduced 135 second grade students from Kalihi-Kai Elementary School, accompanied by their teachers, Mrs. Amy Itagaki, Mrs. Elsie Kobayashi, Mrs. Ayako Shimizu, Mrs. Mildred Tokushige, Mrs. Dagmar Uehara and Mrs. Amy Hirohata-Goto.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 77 to 275), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 77) transmitting House Bill No. 5, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, second-

ed by Senator Soares and carried, H.B. No. 5, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 78) transmitting House Bill No. 10, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 10, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 79) transmitting House Bill No. 11, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 11, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURTS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 80) transmitting House Bill No. 20, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 20, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 81) transmitting House Bill No. 42, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 42, H.D. 2, entitled: "A

BILL FOR AN ACT RELATING TO FEED," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 82) transmitting House Bill No. 43, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 43, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PRODUCT PROMOTION," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 83) transmitting House Bill No. 45, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 45, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 84) transmitting House Bill No. 61, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 61, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE WAGE AND HOUR LAW," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 85) transmitting House Bill No. 69, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 69, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DETERMINATION OF DEATH," passed First Reading by title and was

placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 86) transmitting House Bill No. 81, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 81, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 87) transmitting House Bill No. 73, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 73, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 88) transmitting House Bill No. 95, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 95, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICARE SUPPLEMENT INSURANCE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 89) transmitting House Bill No. 114, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 114, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEMOPHILIA," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House

(Hse. Com. No. 90) transmitting House Bill No. 118, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 118, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISION OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 91) transmitting House Bill No. 170, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 170, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO INVESTIGATE THE USE OF SUGAR CANE AS A FODDER FOR ANIMAL FEED," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 92) transmitting House Bill No. 179, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 179, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FISH TRAPS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 93) transmitting House Bill No. 194, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 194, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WRONGFUL DEATH," passed First Reading by title and was placed on

the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 94) transmitting House Bill No. 201, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 201, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SURVIVAL OF CAUSE OF ACTION," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 95) transmitting House Bill No. 212, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 212, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 96) transmitting House Bill No. 223, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 223, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 97) transmitting House Bill No. 225, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 225, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," passed First Reading by title and was placed

on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 98) transmitting House Bill No. 241, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 241, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GUARDIANSHIP OF THE PERSON," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 99) transmitting House Bill No. 242, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 242, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF CREDIT CARDS FOR HOSPITAL CHARGES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 100) transmitting House Bill No. 243, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 243, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 101) transmitting House Bill No. 244, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 244, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House

(Hse. Com. No. 102) transmitting House Bill No. 245, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 245, entitled: "A BILL FOR AN ACT HEALTH," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 103) transmitting House Bill No. 249, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 249, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION OF AQUATIC LIFE, WILDLIFE AND PLANTS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 104) transmitting House Bill No. 253, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 253, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 105) transmitting House Bill No. 258, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 258, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 106) transmitting House Bill No. 267, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 267, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CONTROL OF PETROLEUM PRODUCTS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 107) transmitting House Bill No. 268, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 268, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE POPULATION AND PLANNING," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 108) transmitting House Bill No. 270, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 270, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 109) transmitting House Bill No. 271, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 271, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 110) transmitting House Bill No. 274, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 274, H.D. 1, entitled: "A

BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 111) transmitting House Bill No. 281, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 281, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 112) transmitting House Bill No. 282, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 282, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REINSTATEMENT OF A SUSPENDED LICENSE OR PERMIT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 113) transmitting House Bill No. 284, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 284, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL EMPLOYMENT AGENCIES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 114) transmitting House Bill No. 286, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 286, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF BARBERING," passed First Reading by title and was

placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 115) transmitting House Bill No. 287, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 287, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOXING COMMISSION," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 116) transmitting House Bill No. 289, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 289, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHIROPRACTIC," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 117) transmitting House Bill No. 313, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 313, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLACE OF IMPRISONMENT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 118) transmitting House Bill No. 320, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 320, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE FOR CHILDREN," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 119) transmitting House Bill No. 322, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 322, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATERNITY STATUTE OF LIMITATIONS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 120) transmitting House Bill No. 324, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 324, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 121) transmitting House Bill No. 329, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 329, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX INCENTIVES FOR SOLAR ENERGY DEVICES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 122) transmitting House Bill No. 338, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 338, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII COLLEGE OF EDUCATION," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 123) transmitting House Bill No. 360, H.D. 1, which passed Third Reading in the House of

Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 360, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN EMERGENCY AND BUDGET STABILIZATION FUND," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 124) transmitting House Bill No. 389, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 389, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECEIPTS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 125) transmitting House Bill No. 393, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 393, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL FUNDS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 126) transmitting House Bill No. 402, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 402, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 127) transmitting House Bill No. 440, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried,

H.B. No. 440, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 128) transmitting House Bill No. 467, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 467, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 129) transmitting House Bill No. 502, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 502, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 130) transmitting House Bill No. 523, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 523, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 131) transmitting House Bill No. 519, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 519, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING IN CERTAIN WATERS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday,

March 16, 1983.

A communication from the House (Hse. Com. No. 132) transmitting House Bill No. 527, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 527, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 133) transmitting House Bill No. 546, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 546, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT OF PATIENTS AT FACILITIES FOR THE TREATMENT OF PERSONS SUFFERING FROM HANSEN'S DISEASE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 134) transmitting House Bill No. 551, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 551, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 135) transmitting House Bill No. 576, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 576, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GAMBLING," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House

(Hse. Com. No. 136) transmitting House Bill No. 608, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 608, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY PROPERTY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 137) transmitting House Bill No. 621, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 621, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPEECH PATHOLOGISTS AND AUDIOLOGISTS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 138) transmitting House Bill No. 651, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 651, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 139) transmitting House Bill No. 662, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 662, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A COMMUNITY ENRICHMENT PROGRAM," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 140) transmitting House Bill No. 663, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983,

was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 663, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VICTIMS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 141) transmitting House Bill No. 684, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 684, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD TENANT CODE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 142) transmitting House Bill No. 688, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 688, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 143) transmitting House Bill No. 689, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 689, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELEVATOR MECHANICS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 144) transmitting House Bill No. 708, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 708, H.D. 1, entitled: "A

BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 145) transmitting House Bill No. 710, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 710, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 146) transmitting House Bill No. 713, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 713, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 147) transmitting House Bill No. 752, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 752, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTITUTION FOR VANDALISM OF PUBLIC SCHOOLS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 148) transmitting House Bill No. 761, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 761, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF THE MEMBERS OF CERTAIN FULL TIME BOARDS AND COMMISSIONS," passed

First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 149) transmitting House Bill No. 768, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 768, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPAIRATIONS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 150) transmitting House Bill No. 779, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 779, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR GRANTS-IN-AID TO ADULT DAY CARE CENTERS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 151) transmitting House Bill No. 780, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 780, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR GRANTS-IN-AID TO DAY HOSPITALS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 152) transmitting House Bill No. 792, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 792, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTAKE SERVICE CENTERS," passed First Reading by title and was placed

on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 153) transmitting House Bill No. 796, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 796, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 154) transmitting House Bill No. 798, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 798, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 155) transmitting House Bill No. 799, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 799, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 156) transmitting House Bill No. 800, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 800, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 157) transmitting House Bill No. 810, H.D. 2, which

passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 810, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF BEAUTY CULTURE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 158) transmitting House Bill No. 811, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 811, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE UNFAIR PRACTICES AND FRAUDS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 159) transmitting House Bill No. 814, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 814, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 160) transmitting House Bill No. 817, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 817, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 161) transmitting House Bill No. 837, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 837, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC LIFE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 162) transmitting House Bill No. 844, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 844, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STADIUM AUTHORITY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 163) transmitting House Bill No. 871, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 871, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 164) transmitting House Bill No. 876, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 876, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 165) transmitting House Bill No. 812, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 812, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSECUTION OF CONSUMER COMPLAINTS BY THE DEPARTMENT OF

COMMERCE AND CONSUMER AFFAIRS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 166) transmitting House Bill No. 887, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 887, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 167) transmitting House Bill No. 897, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 897, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH AND MORALS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 168) transmitting House Bill No. 913, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 913, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 169) transmitting House Bill No. 914, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 914, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 170) transmitting House Bill No. 966, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 966, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 171) transmitting House Bill No. 991, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 991, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 172) transmitting House Bill No. 992, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 992, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOG CONTROL," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 173) transmitting House Bill No. 1018, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1018, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL BANKING FACILITIES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 174) transmitting

House Bill No. 1028, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1028, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUTHORITY OF THE GOVERNOR DURING DISASTER," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 175) transmitting House Bill No. 1086, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1086, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 176) transmitting House Bill No. 1087, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1087, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 177) transmitting House Bill No. 1090, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1090, entitled: "A BILL FOR AN ACT RELATING TO POOL BUYING TRANSACTIONS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 178) transmitting House Bill No. 1099, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1099, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS JURISDICTION," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 179) transmitting House Bill No. 1118, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1118, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 180) transmitting House Bill No. 1119, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1119, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 181) transmitting House Bill No. 1115, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1115, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE CORPORATIONS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 182) transmitting House Bill No. 1120, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1120, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 183) transmitting House Bill No. 1123, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1123, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEARINGS BEFORE THE BOARD OF LAND AND NATURAL RESOURCES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 184) transmitting House Bill No. 1179, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1179, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 185) transmitting House Bill No. 1190, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1190, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY FARM LOANS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 186) transmitting House Bill No. 1201, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, sec-

onded by Senator Soares and carried, H.B. No. 1201, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 187) transmitting House Bill No. 1207, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1207, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS AND THE PUBLIC LAND TRUST," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 188) transmitting House Bill No. 1231, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1231, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 189) transmitting House Bill No. 1232, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1232, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 190) transmitting House Bill No. 1243, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1243, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES," passed First

Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 191) transmitting House Bill No. 1285, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1285, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PLACEMENT OF A SCULPTURE AT THE KAUAI STATE OFFICE BUILDING," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 192) transmitting House Bill No. 1304, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1304, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANY GUARANTY ACT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 193) transmitting House Bill No. 1313, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1313, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MEDICAL ASSISTANCE REIMBURSEMENTS TO HOSPITAL-BASED NURSING FACILITIES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 194) transmitting House Bill No. 1317, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1317, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE SIZE AND WEIGHT," passed First Reading by title and was placed

on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 195) transmitting House Bill No. 1339, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1339, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF NEGOTIATED SETTLEMENT BETWEEN RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII AND HAWAIIAN DREDGING AND CONSTRUCTION COMPANY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 196) transmitting House Bill No. 1340, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1340, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 197) transmitting House Bill No. 1347, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1347, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 198) transmitting House Bill No. 1361, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1361, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT OF THE HOLO HOLO CASES," passed First Reading by

title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 199) transmitting House Bill No. 1380, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1380, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 200) transmitting House Bill No. 1399, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1399, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 201) transmitting House Bill No. 1402, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1402, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS LICENSE BOARD," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 202) transmitting House Bill No. 1417, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1417, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CHILD PROTECTIVE ACT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House

(Hse. Com. No. 203) transmitting House Bill No. 1422, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1422, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCESSED MILK," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 204) transmitting House Bill No. 1434, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1434, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 205) transmitting House Bill No. 1496, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1496, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTAKE SERVICE CENTERS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 206) transmitting House Bill No. 1557, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1557, entitled: "A BILL FOR AN ACT RELATING TO RESPONSIBILITY AND FITNESS OF DEFENDANT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 207) transmitting House Bill No. 1567, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983,

was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1567, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 208) transmitting House Bill No. 1579, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1579, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 209) transmitting House Bill No. 1571, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1571, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 210) transmitting House Bill No. 1582, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1582, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION OF CHILD SUPPORT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 211) transmitting House Bill No. 1583, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried,

H.B. No. 1583, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 212) transmitting House Bill No. 1587, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1587, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 213) transmitting House Bill No. 1588, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1588, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 214) transmitting House Bill No. 1602, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1602, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 215) transmitting House Bill No. 1620, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1620, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COOPERATIVE HOUSING CORPORATIONS," passed First Reading by

title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 216) transmitting House Bill No. 6, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 6, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 217) transmitting House Bill No. 137, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 137, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 218) transmitting House Bill No. 182, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 182, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL PRIORITY FUND," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 219) transmitting House Bill No. 188, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 188, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 220) transmitting House Bill No. 206, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 206, entitled: "A BILL FOR AN ACT RELATING TO THE STATE IMMIGRANT SERVICES CENTER," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 221) transmitting House Bill No. 233, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 233, entitled: "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 222) transmitting House Bill No. 265, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 265, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEAVES OF ABSENCE OF PUBLIC OFFICERS AND EMPLOYEES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 223) transmitting House Bill No. 325, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 325, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 224) transmitting House Bill No. 330, which passed

Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 330, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 225) transmitting House Bill No. 351, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 351, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED ACCEPTANCE OF NOLO CONTENDERE PLEAS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 226) transmitting House Bill No. 352, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 352, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERATION OF FIREARMS AND AMMUNITION," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 227) transmitting House Bill No. 354, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 354, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS BROUGHT INTO THE STATE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 228) transmitting House Bill No. 411, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 411, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 229) transmitting House Bill No. 452, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 452, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFINITIONS OF STATES OF MIND," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 230) transmitting House Bill No. 453, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 453, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ROBBERY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 231) transmitting House Bill No. 494, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 494, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 232) transmitting House Bill No. 497, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 497, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," passed First Reading by

title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 233) transmitting House Bill No. 499, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 499, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 234) transmitting House Bill No. 514, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 514, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 235) transmitting House Bill No. 530, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 530, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES IN CERTAIN EXEMPT POSITIONS IN THE PLANNING AND DEVELOPMENT OFFICE OF THE DEPARTMENT OF AGRICULTURE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 236) transmitting House Bill No. 531, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 531, entitled: "A BILL FOR AN ACT RELATING TO CERTAIN EMPLOYEES IN THE DIVISION OF MILK CONTROL OF THE DEPARTMENT OF AGRICULTURE," passed First Reading by title and was placed

on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 237) transmitting House Bill No. 532, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 532, entitled: "A BILL FOR AN ACT RELATING TO PLANT QUARANTINE INSPECTORS OF THE DEPARTMENT OF AGRICULTURE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 238) transmitting House Bill No. 549, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 549, entitled: "A BILL FOR AN ACT RELATING TO THE FUNCTIONS OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 239) transmitting House Bill No. 581, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 581, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 240) transmitting House Bill No. 594, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 594, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES RETIREMENT SYSTEM," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 241) transmitting House Bill No. 601, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 601, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE EQUIPMENT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 242) transmitting House Bill No. 646, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 646, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 243) transmitting House Bill No. 670, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 670, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 244) transmitting House Bill No. 703, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 703, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATE ENERGY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 245) transmitting House Bill No. 722, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 722, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DUTIES OF SUPERINTENDENT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 246) transmitting House Bill No. 781, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 781, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 247) transmitting House Bill No. 783, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 783, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (House Com. No. 248) transmitting House Bill No. 784, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 784, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed First Reading by titled and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 249) transmitting House Bill No. 791, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 791, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed First Reading by title and was placed on the calendar

for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 250) transmitting House Bill No. 809, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 809, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL AND CAREER INFORMATION," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 251) transmitting House Bill No. 830, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 830, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY AND FITNESS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 252) transmitting House Bill No. 866, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 866, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNAUTHORIZED REMOVAL OF SHOPPING DEVICES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 253) transmitting House Bill No. 901, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 901, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 254) transmitting House Bill No. 915, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 915, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 255) transmitting House Bill No. 1050, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1050, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 256) transmitting House Bill No. 1061, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1061, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 257) transmitting House Bill No. 1088, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1088, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE DEALERS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 258) transmitting House Bill No. 1102, H.D. 1, which passed Third Reading in the House of

Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1102, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 259) transmitting House Bill No. 1116, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1116, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POULTRY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 260) transmitting House Bill No. 1117, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1117, entitled: "A BILL FOR AN ACT RELATING TO STATE FAIRS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 261) transmitting House Bill No. 1121, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1121, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITAL ADMINISTRATION IN THE COUNTY/STATE HOSPITAL SYSTEM," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 262) transmitting House Bill No. 1126, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried,

H.B. No. 1126, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 263) transmitting House Bill No. 1129, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1129, entitled: "A BILL FOR AN ACT RELATING TO CONCESSION BID DEPOSITS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 264) transmitting House Bill No. 1146, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1146, entitled: "A BILL FOR AN ACT RELATING TO SMOKING IN PUBLIC PLACES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 265) transmitting House Bill No. 1148, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1148, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCOVERY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 266) transmitting House Bill No. 1221, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1221, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 267) transmitting House Bill No. 1266, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1266, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, AND SEPARATION," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 268) transmitting House Bill No. 1294, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1294, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPOUSE ABUSE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 269) transmitting House Bill No. 1311, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1311, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 270) transmitting House Bill No. 1342, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1342, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY AND FITNESS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 271) transmitting House Bill No. 1363, H.D. 1, which

passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1363, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURTS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 272) transmitting House Bill No. 1438, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1438, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 273) transmitting House Bill No. 1562, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1562, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EFFECT OF FINDING OF UNFITNESS TO PROCEED," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 274) transmitting House Bill No. 1580, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1580, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

A communication from the House (Hse. Com. No. 275) transmitting House Bill No. 1621, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1621, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 16, 1983.

At 11:10 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:12 o'clock a.m.

ORDER OF THE DAY

MATTERS DEFERRED FROM
MARCH 14, 1983

THIRD READING

Senate Bill No. 109, S.D. 1:

By unanimous consent, S.B. No. 109, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," was recommitted to the Committee on Ways and Means for further consideration.

Senate Bill No. 969:

By unanimous consent, action on S.B. No. 969, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," was deferred until Wednesday, March 16, 1983.

ADJOURNMENT

At 11:15 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:00 o'clock a.m., Wednesday, March 16, 1983.

THIRTY-FIFTH DAY

Wednesday, March 16, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Chaplain George Dabrowski of the United States Air Force, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Thirty-Fourth Day.

At 11:37 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:40 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 213 and 214 were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 213) advising the Senate of the withdrawal of the nomination to the County Hospital Management Advisory Committee, Hawaii County Hospital System, dated January 20, 1983, of Charles H. Hustace, Jr., term to expire December 31, 1986, under Gov. Msg. No. 130, was placed on file.

In compliance with Gov. Msg. No. 213, the nomination listed under Gov. Msg. No. 130 was returned.

A message from the Governor (Gov. Msg. No. 214) transmitting copies of the "1983 Annual Report to the Governor on Employment and Training," prepared jointly by the State Commission on Manpower and Full Employment pursuant to Section 202-2, HRS, and the State Employment and Training Council under P.L. 95-524, was referred to the Committee on Human Resources.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 276 to 280), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 276) transmitting

House Bill No. 1151, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, by not less than two-thirds vote of all the members to which the House is entitled, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1151, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 277) transmitting House Bill No. 1262, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, by not less than two-thirds vote of all the members to which the House is entitled, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1262, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR CONSTRUCTION OF AN ETHANOL PLANT," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 278) transmitting House Bill No. 1297, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1983, by not less than two-thirds vote of all the members to which the House is entitled, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1297, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 279) transmitting House Bill No. 1401, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, by not less than two-thirds vote of all the members to which the House is

entitled, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1401, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 280) transmitting House Bill No. 1505, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1983, by not less than two-thirds vote of all the members to which the House is entitled, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1505, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 44), entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING NATIONAL 'AGRICULTURE DAY' AND DESIGNATING MARCH 21, 1983 AS 'HAWAII AGRICULTURE DAY,'" was offered by Senators Toguchi, Fernandes Salling, Solomon, Abercrombie, Ajifu, Cayetano, Hagino and Young, and was read by the Clerk.

By unanimous consent, S.C.R. No. 44 was referred to the Committee on Agriculture.

SENATE RESOLUTION

A resolution (S.R. No. 56), entitled: "SENATE RESOLUTION RECOGNIZING NATIONAL 'AGRICULTURE DAY' AND DESIGNATING MARCH 21, 1983 AS 'HAWAII AGRICULTURE DAY,'" was offered by Senators Toguchi, Solomon, Kuroda, Young, Uwaine, Hagino, Mizuguchi and Ajifu, and was read by the Clerk.

By unanimous consent, S.R. No. 56 was referred to the Committee on Agriculture.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 607) informing the Senate that Senate Concurrent Resolution No. 44 and Standing Committee Report Nos. 608 to 610 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 608) recommending that the Senate advise and consent to the nominations of the following:

William K. Pacatang to the Board of Social Services and Housing, in accordance with Governor's Message No. 136;

Richard S. Dumancas to the Civil Service Commission, in accordance with Governor's Message No. 137;

Odetta Fujimori to the Hawaii Employment Relations Board, in accordance with Governor's Message No. 138; and

James Brown to the Board of Trustees, Hawaii Public Employees Health Fund, in accordance with Governor's Message No. 139.

By unanimous consent, action on Stand. Com. Rep. No. 608 and Gov. Msg. Nos. 136, 137, 138 and 139 was deferred until Friday, March 18, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 609) recommending that the Senate advise and consent to the nominations of Iris T. Fukui and Michael C.K. Wong to the Advisory Commission on Manpower and Full Employment, in accordance with Governor's Message No. 140.

By unanimous consent, action on Stand. Com. Rep. No. 609 and Gov. Msg. No. 140 was deferred until Friday, March 18, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 610) recommending that the Senate advise and consent to the nomination of James Takushi as Director of Personnel Services, in

accordance with Governor's Message No. 158.

By unanimous consent, action on Stand. Com. Rep. No. 610 and Gov. Msg. No. 158 was deferred until Friday, March 18, 1983.

ORDER OF THE DAY

THIRD READING

MATTERS DEFERRED FROM MARCH 14, 1983

Senate Bill No. 605, S.D. 1:

By unanimous consent, action on S.B. No. 605, S.D. 1, was deferred to the end of the morning calendar.

Senate Bill No. 980, S.D. 1:

By unanimous consent, action on S.B. No. 980, S.D. 1, was deferred to the end of the morning calendar.

Senate Bill No. 669, S.D. 1:

By unanimous consent, action on S.B. No. 669, S.D. 1, was deferred to the end of the morning calendar.

THIRD READING

Senate Bill No. 969:

By unanimous consent, action on S.B. No. 969, was deferred to the end of the morning calendar.

At 11:42 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:44 o'clock a.m.

Senate Bill No. 18, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 18, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAIR BUSINESS PRACTICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Senate Bill No. 115, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 115, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM UNCLAIMED PROPERTY ACT," having

been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Senate Bill No. 122, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 122, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL RECORDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Senate Bill No. 441, S.D. 1:

By unanimous consent, action on S.B. No. 441, S.D. 1, was deferred to the end of the morning calendar.

Senate Bill No. 445, S.D. 1:

By unanimous consent, S.B. No. 445, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GAMBLING," was recommitted to the Committee on Judiciary.

Senate Bill No. 570, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 570, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 711, OFFENSES AGAINST PUBLIC ORDER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Senate Bill No. 617:

By unanimous consent, S.B. No. 617, entitled: "A BILL FOR AN ACT RELATING TO QUIETING TITLE," was recommitted to the Committee on Judiciary.

Senate Bill No. 915:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 915, entitled: "A BILL FOR AN ACT RELATING TO COMMENCING PROSECUTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused,

1 (Machida).

Senate Bill No. 1093, S.D. 1:

By unanimous consent, action on S.B. No. 1093, S.D. 1, was deferred to the end of the morning calendar.

Senate Bill No. 1113:

By unanimous consent, action on S.B. No. 1113, was deferred to end of the morning calendar.

Senate Bill No. 1172, S.D. 1:

By unanimous consent, action on S.B. No. 1172, S.D. 1, was deferred to the end of the morning calendar.

Senate Bill No. 1201, S.D. 1:

By unanimous consent, S.B. No. 1201, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," was recommitted to the Committee on Judiciary.

Senate Bill No. 248, S.D. 1:

By unanimous consent, action on S.B. No. 248, S.D. 1, was deferred to the end of the morning calendar.

Senate Bill No. 358, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 358, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRINCIPLES OF JUSTIFICATION UNDER THE HAWAII PENAL CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Senate Bill No. 563, S.D. 1:

By unanimous consent, action on S.B. No. 563, S.D. 1, was deferred to the end of the morning calendar.

Senate Bill No. 630, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 630, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAROLE PROCEDURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Senate Bill No. 665, S.D. 1:

By unanimous consent, action on S.B. No. 665, S.D. 1, was deferred to the end of the morning calendar.

Senate Bill No. 914, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 914, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JURORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Senate Bill No. 1142, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 1142, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION, RELATING TO THE APPOINTMENT OF JUSTICES AND JUDGES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes 1, (Uwaine). Excused, 1 (Machida).

Senate Bill No. 1215, S.D. 1:

By unanimous consent, S.B. No. 1215, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," was recommitted to the Committee on Judiciary.

Senate Bill No. 1444, S.D. 2:

By unanimous consent, S.B. No. 1444, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," was recommitted to the Committee on Judiciary.

Senate Bill No. 27, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 27, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATTACHMENT AND EXECUTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Senate Bill No. 47, S.D. 1:

By unanimous consent, action on

S.B. No. 47, S.D. 1, was deferred to the end of the morning calendar.

Senate Bill No. 205, S.D. 1:

By unanimous consent, S.B. No. 205, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATERNITY STATUTE OF LIMITATIONS," was recommitted to the Committee on Judiciary.

Senate Bill No. 241, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 241, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUALIFICATION OF EXPERTS WHERE INSANITY FOR MENTAL ILLNESS IS AN ISSUE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Senate Bill No. 312, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 312, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Senate Bill No. 315:

By unanimous consent, action on S.B. No. 315, was deferred to the end of the morning calendar.

Senate Bill No. 349, S.D. 1:

By unanimous consent, S.B. No. 349, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ADMINISTRATIVE PROCEDURE ACT," was recommitted to the Committee on Judiciary.

Senate Bill No. 356:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 356, entitled: "A BILL FOR AN ACT RELATING TO POST CONVICTION PROCEEDINGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Senate Bill No. 446:

By unanimous consent, action on S.B. No. 446, was deferred to the end of the morning calendar.

Senate Bill No. 478, S.D. 1:

By unanimous consent, S.B. No. 478, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT," was recommitted to the Committee on Judiciary.

Senate Bill No. 484, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 484, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Senate Bill No. 485, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 485, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Senate Bill No. 499, S.D. 1:

By unanimous consent, S.B. No. 499, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT," was recommitted to the Committee on Judiciary.

Senate Bill No. 534, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 534, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Senate Bill No. 578:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 578, entitled: "A

BILL FOR AN ACT RELATING TO BAIL BONDSMEN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Senate Bill No. 631, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 631, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVOLUNTARY CIVIL COMMITMENT UNDER MENTAL HEALTH LAW. ADMISSIONS FOR NONEMERGENCY TREATMENT OR SUPERVISION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Senate Bill No. 694, S.D. 1:

By unanimous consent, S.B. No. 694, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JOINT TORTFEASORS LIABILITY," was recommitted to the Committee on Judiciary.

Senate Bill No. 752, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 752, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II OF THE HAWAII CONSTITUTION BY ADDING A NEW SECTION RELATING TO VOTES REQUIRED FOR ELECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Senate Bill No. 890:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 890, entitled: "A BILL FOR AN ACT RELATING TO CREDIT CARD OFFENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Senate Bill No. 912, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and

carried, S.B. No. 912, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MECHANIC'S AND MATERIALMAN'S LIENS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Senate Bill No. 923, S.D. 1:

By unanimous consent, action on S.B. No. 923, S.D. 1, was deferred to the end of the morning calendar.

Senate Bill No. 1091:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 1091, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Senate Bill No. 1171, S.D. 1:

By unanimous consent, S.B. No. 1171, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES," was recommitted to the Committee on Judiciary.

Senate Bill No. 1199, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 1199, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE LIABILITY FOR CONVICTED PERSONS WHO PERFORM COMMUNITY SERVICE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Senate Bill No. 1212, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 1212, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURES BY JUDGES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Uwaine). Excused, 1 (Machida).

Standing Committee Report No. 388 (S.B. No. 127):

By unanimous consent, Stand. Com. Rep. No. 388 and S.B. No. 127, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," were recommitted to the Committee on Judiciary.

Standing Committee Report No. 389 (S.B. No. 775, S.D. 1):

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 389 was adopted and S.B. No. 775, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Standing Committee Report No. 390 (S.B. No. 505, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 390 and S.B. No. 505, S.D. 2, was deferred to the end of the morning calendar.

At 11:56 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:05 o'clock p.m.

Standing Committee Report No. 391 (S.B. No. 695, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 391 and S.B. No. 695, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOG CONTROL," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 392 (S.B. No. 828, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 392 and S.B. No. 828, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL AND CAREER INFORMATION," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 393 (S.B. No. 1173, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 393 and S.B. No. 1173, S.D. 1, was deferred to the end of the morning calendar.

Standing Committee Report No. 394 (S.B. No. 840, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 394 was adopted and S.B. No. 840, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Standing Committee Report No. 395 (S.B. No. 13, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 395 was adopted and S.B. No. 13, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF PROPERTY INSURANCE RATES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Standing Committee Report No. 396 (S.B. No. 51, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 396 was adopted and S.B. No. 51, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL CLAIMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

Standing Committee Report No. 397 (S.B. No. 825, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 397 and S.B. No. 825, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEMOPHILIA," were recommitted to the Committee on Committee on Ways and Means.

Standing Committee Report No. 398 (S.B. No. 208, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 398 and S.B. No. 208, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 399 (S.B. No. 360, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 399 and S.B. No. 360, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT OF PATIENTS AT FACILITIES FOR TREATMENT OF PERSONS SUFFERING FROM HANSEN'S DISEASE," were recommitted to the Committee on Ways and Means.

Senator Abercrombie rose on a point of inquiry as follows:

"Mr. President, is the recommittal due to the House bill coming over?"

The Chair answered: "Yes, that is correct."

Standing Committee Report No. 400 (S.B. No. 614):

On motion by Senator Yamasaki, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 400 was adopted and S.B. No. 614, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS' BUDGET," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Machida).

At 12:10 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:13 o'clock p.m.

MATTERS DEFERRED FROM MARCH 15, 1983

REFERRAL OF HOUSE BILLS

The President made the following committee assignments of House Bills that were received on Tuesday, March 15, 1983:

House Bills Referred to:

No. 5, H.D. 1 Committee on Ways and Means

No. 10, H.D. 1 Committee on Judiciary

No. 11, H.D. 1 Committee on Judiciary

No. 20, H.D. 1 Committee on Government Operations and County Relations, then to the Committee on Ways and Means.

No. 42, H.D. 2 Committee on

Agriculture

No. 43, H.D. 2 Committee on Agriculture.

No. 45, H.D. 2 Committee on Agriculture, then to the Committee on Ways and Means

No. 61, H.D. 2 Committee on Human Resources

No. 69, H.D. 2 Committee on Health, then to the Committee on Judiciary

No. 81, H.D. 1 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means

No. 73, H.D. 1 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Education

No. 95, H.D. 1 Committee on Consumer Protection and Commerce

No. 114, H.D. 2 Committee on Health, then to the Committee on Ways and Means

No. 118, H.D. 1 Committee on Judiciary

No. 170, H.D. 2 Committee on Agriculture, then to the Committee on Ways and Means

No. 179, H.D. 2 Committee on Ecology, Environment and Recreation

No. 194, H.D. 1 Committee on Judiciary

No. 201, H.D. 1 Committee on Judiciary

No. 212, H.D. 1 Committee on Human Resources, then to the Committee on Ways and Means

No. 223, H.D. 1 Committee on Human Resources, then to the Committee on Ways and Means

No. 225, H.D. 1 Committee on Ways and Means

No. 241, H.D. 1 Committee on Judiciary

No. 242, H.D. 1 Committee on Health, then to the Committee on Ways and Means

No. 243 Committee on Health, then to the Committee on Judiciary

No. 244, H.D. 1 Committee on Health, then to the Committee on Ways and Means	on	Committee on Higher Education and the Committee on Education
No. 245 Committee on Health	on	No. 360, H.D. 1 Committee on Ways and Means
No. 249, H.D. 1 Committee on Ecology, Environment and Recreation	on and	No. 389, H.D. 1 Committee on Consumer Protection and Commerce.
No. 253, H.D. 1 Committee on Economic Development	on	No. 393, H.D. 2 Committee on Committee on Agriculture, then to the Committee on Ways and Means
No. 258, H.D. 1 Committee on Ecology, Environment and Recreation	on and	No. 440 Committee on Consumer Protection and Commerce
No. 267, H.D. 2 Committee on Economic Development	on	No. 402, H.D. 1 Committee on Judiciary
No. 268, H.D. 2 Committee on Economic Development, then to the Committee on Ways and Means	on	No. 467, H.D. 1 Committee on Judiciary
No. 270 Committee on Economic Development	on	No. 502, H.D. 2 Committee on Health, then to the Committee on Ways and Means
No. 271, H.D. 1 Committee on Economic Development, then to the Committee on Ways and Means	on	No. 523, H.D. 1 Committee on Consumer Protection and Commerce
No. 274, H.D. 1 Committee on Consumer Protection and Commerce	on	No. 519, H.D. 1 Committee on Ecology, Environment and Recreation
No. 281, H.D. 1 Committee on Economic Development	on	No. 527, H.D. 1 Committee on Consumer Protection and Commerce
No. 282, H.D. 1 Committee on Consumer Protection and Commerce	on	No. 546, H.D. 2 Committee on Health, then to the Committee on Ways and Means
No. 284, H.D. 1 Committee on Consumer Protection and Commerce	on	No. 551 Committee on Ways and Means
No. 286, H.D. 2 Committee on Consumer Protection and Commerce	on	No. 576, H.D. 1 Committee on Judiciary
No. 287, H.D. 2 Committee on Consumer Protection and Commerce	on	No. 608, H.D. 1 Committee on Judiciary
No. 289, H.D. 1 Committee on Consumer Protection and Commerce	on	No. 621, H.D. 1 Committee on Consumer Protection and Commerce
No. 313, H.D. 1 Committee on Judiciary	on	No. 651, H.D. 1 Committee on Health, then to the Committee on Ways and Means
No. 320, H.D. 1 Committee on Human Resources	on	No. 662, H.D. 2 Committee on Education, then to the Committee on Ways and Means
No. 322, H.D. 1 Committee on Judiciary	on	No. 663, H.D. 2 Committee on Judiciary
No. 324, H.D. 1 Committee on Youth and Elderly Affairs, then to the Committee on Judiciary	on	No. 684 Committee on Consumer Protection and Commerce.
No. 329, H.D. 1 Committee on Economic Development, then to the Committee on Ways and Means	on	No. 688 Committee on Consumer Protection and Commerce
No. 338, H.D. 1 Jointly to the	to the	No. 689, H.D. 1 Committee on Consumer Protection and Commerce

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| No. 708, H.D. 1 Committee on Housing and Urban Development, then to the Committee on Judiciary | No. 876, H.D. 1 Committee on Consumer Protection and Commerce |
| No. 710, H.D. 1 Committee on Housing and Urban Development, then to the Committee on Judiciary | No. 812, H.D. 1 Committee on Consumer Protection and Commerce |
| No. 713, H.D. 1 Committee on Consumer Protection and Commerce | No. 887, H.D. 2 Committee on Ecology, Environment and Recreation |
| No. 752, H.D. 1 Committee on Committee on Education | No. 897 Committee on Judiciary |
| No. 761, H.D. 1 Committee on Human Resources, then to the Committee on Ways and Means | No. 913, H.D. 1 Committee on Consumer Protection and Commerce |
| No. 768, H.D. 1 Committee on Consumer Protection and Commerce | No. 914, H.D. 1 Committee on Consumer Protection and Commerce |
| No. 779, H.D. 2 Committee on Youth and Elderly Affairs, then to the Committee on Ways and Means | No. 966, H.D. 2 Committee on Consumer Protection and Commerce |
| No. 780, H.D. 2 Committee on Youth and Elderly Affairs, then to the Committee on Ways and Means | No. 991, H.D. 1 Committee on Human Resources, then to the Committee on Ways and Means |
| No. 792, H.D. 1 Committee on Judiciary, then to the Committee on Ways and Means | No. 992, H.D. 2 Committee on Government Operations and County Relations, then to the Committee on Ways and Means |
| No. 796, H.D. 1 Committee on Judiciary | No. 1018, H.D. 2 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means |
| No. 798 Committee on Judiciary | No. 1028, H.D. 1 Committee on Judiciary |
| No. 799, H.D. 1 Committee on Judiciary | No. 1086, H.D. 1 Committee on Health |
| No. 800 Committee on Judiciary | No. 1087, H.D. 2 Committee on Health |
| No. 810, H.D. 2 Committee on Consumer Protection and Commerce | No. 1090 Committee on Government Operations and County Relations, then to the Committee on Consumer Protection and Commerce |
| No. 811, H.D. 1 Committee on Consumer Protection and Commerce | No. 1099, H.D. 1 Committee on Judiciary |
| No. 814, H.D. 1 Committee on Housing and Urban Development | No. 1118 Committee on Judiciary |
| No. 817, H.D. 1 Committee on Housing and Urban Development, then to the Committee on Ways and Means | No. 1119, H.D. 2 Committee on Judiciary, then to the Committee on Ways and Means |
| No. 837, H.D. 1 Committee on Ecology, Environment and Recreation | No. 1115, H.D. 1 Committee on Consumer Protection and Commerce |
| No. 844, H.D. 1 Committee on Ecology, Environment and Recreation | No. 1120, H.D. 1 Committee on Hawaiian Programs, then to the Committee on Ways and Means |
| No. 871, H.D. 1 Committee on Ecology, Environment and Recreation | No. 1123, H.D. 2 Committee on Economic Development |

- | | | |
|---|---|----|
| No. 1179, H.D. 1 Committee on Human Resources, then to the Committee on Economic Development, then to the Committee on Ways and Means | No. 1434, H.D. 1 Committee on Education | on |
| No. 1190, H.D. 2 Committee on Agriculture, then to the Committee on Ways and Means | No. 1496, H.D. 1 Committee on Judiciary | on |
| No. 1201, H.D. 1 Committee on Consumer Protection and Commerce | No. 1557 Committee on Judiciary | on |
| No. 1207, H.D. 2 Committee on Hawaiian Programs, then to the Committee on Ways and Means | No. 1567, H.D. 2 Committee on Human Resources, then to the Committee on Ways and Means | on |
| No. 1231, H.D. 1 Committee on Housing and Urban Development, then to the Committee on Ways and Means | No. 1579, H.D. 2 Committee on Agriculture, then to the Committee on Ways and Means | on |
| No. 1232, H.D. 1 Committee on Housing and Urban Development | No. 1571, H.D. 2 Committee on Hawaiian Programs | on |
| No. 1243, H.D. 1 Committee on Government Operations and County Relations | No. 1582, H.D. 1 Committee on Human Resources | on |
| No. 1285, H.D. 2 Committee on Culture and Arts, then to the Committee on Ways and Means | No. 1583, H.D. 2 Committee on Human Resources | on |
| No. 1304, H.D. 2 Committee on Consumer Protection and Commerce | No. 1587, H.D. 1 Committee on Consumer Protection and Commerce | on |
| No. 1313, H.D. 2 Committee on Human Resources, then to the Committee on Ways and Means | No. 1588, H.D. 1 Committee on Transportation | on |
| No. 1317, H.D. 1 Committee on Transportation | No. 1602, H.D. 1 Committee on Consumer Protection and Commerce | on |
| No. 1339, H.D. 1 Committee on Judiciary, then to the Committee on Ways and Means | No. 1620, H.D. 1 Committee on Housing and Urban Development | on |
| No. 1340, H.D. 1 Committee on Consumer Protection and Commerce | No. 6, H.D. 1 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means | on |
| No. 1347, H.D. 1 Committee on Human Resources, then to the Committee on Ways and Means | No. 137 Committee on Judiciary, then to the Committee on Ways and Means | on |
| No. 1361 Committee on Judiciary, then to the Committee on Ways and Means | No. 182 Committee on Education | on |
| No. 1380 Committee on Health | No. 188, H.D. 1 Committee on Judiciary | on |
| No. 1399, H.D. 2 Committee on Economic Development, then to the Committee on Ways and Means | No. 206 Committee on Human Resources, then to the Committee on Youth and Elderly Affairs | on |
| No. 1402, H.D. 2 Committee on Consumer Protection and Commerce | No. 233 Committee on Federal Relations | on |
| No. 1417, H.D. 1 Committee on Judiciary | No. 265, H.D. 1 Committee on Human Resources | on |
| No. 1422, H.D. 1 Committee on Health | No. 325 Committee on Human Resources, then to the Committee on Ways and Means | on |
| | No. 330 Committee on Transportation, then to the Committee on Ways and Means | on |
| | No. 351 Committee | on |

Judiciary				Ways and Means			
No. 352, H.D. 1	Committee	on		No. 783	Committee	on	
Judiciary				Judiciary			
No. 354	Committee	on		No. 784, H.D. 1	Committee	on	
Judiciary				Judiciary			
No. 411	Committee on Human			No. 791	Committee	on	
Resources				Judiciary, then to the Committee on			
				Ways and Means			
No. 452, H.D. 1	Committee	on		No. 809, H.D. 1	Committee on Human		
Judiciary				Resources, then to the Committee			
				on Ways and Means			
No. 453, H.D. 1	Committee	on		No. 830, H.D. 1	Committee	on	
Judiciary				Judiciary			
No. 494, H.D. 1	Committee	on		No. 866, H.D. 1	Committee	on	
Judiciary				Judiciary			
No. 497, H.D. 1	Committee	on		No. 901, H.D. 1	Committee	on	
Health				Judiciary			
No. 499, H.D. 1	Committee	on		No. 915	Committee	on	
Consumer Protection and Commerce				Consumer Protection and Commerce			
No. 514	Committee	on		No. 1050, H.D. 1	Committee	on	
Government Operations and County				Judiciary			
Relations				No. 1061, H.D. 1	Committee	on	
No. 530	Committee on Human			Housing and Urban Development,			
Resources, then to the Committee				then to the Committee on Ways and			
on Ways and Means				Means			
No. 531	Committee on Human			No. 1088, H.D. 1	Committee	on	
Resources, then to the Committee				Consumer Protection and Commerce			
on Ways and Means				No. 1102, H.D. 1	Committee	on	
No. 532	Committee on Human			Judiciary			
Resources, then to the Committee				No. 1116, H.D. 1	Committee	on	
on Ways and Means				Agriculture			
No. 549	Committee	on		No. 1117	Committee	on	
Ecology, Environment				Agriculture			
and Recreation				No. 1121, H.D. 1	Committee	on	
No. 581	Committee	on		Health, then to the Committee on			
Judiciary				Ways and Means			
No. 594	Committee on Human			No. 1126, H.D. 1	Committee on Human		
Resources, then to the Committee				Resources, then to the Committee			
on Ways and Means				on Ways and Means			
No. 601, H.D. 1	Committee	on		No. 1129	Committee	on	
Transportation				Government Operations and County			
No. 646	Committee	on		Relations			
Agriculture				No. 1146	Committee	on	
No. 670, H.D. 1	Committee	on		Health			
Government Operations and County				No. 1148, H.D. 1	Committee	on	
Relations, then to the Committee on				Health, then to the Committee on			
Ways and Means				Judiciary			
No. 703, H.D. 1	Committee	on		No. 1221	Committee	on	
Economic Development				Judiciary			
No. 722, H.D. 1	Committee	on		No. 1266, H.D. 1	Committee	on	
Education				Judiciary			
No. 781, H.D. 1	Committee	on					
Judiciary, then to the Committee on							

No. 1294, H.D. 1 Committee on
Judiciary

No. 1311, H.D. 1 Committee on
Government Operations and County
Relations

No. 1342, H.D. 1 Committee on
Judiciary

No. 1363, H.D. 1 Committee on
Judiciary

No. 1438, H.D. 1 Committee on
Judiciary

No. 1562, H.D. 1 Committee on
Judiciary

No. 1580, H.D. 1 Committee on
Consumer Protection and Commerce

No. 1621, H.D. 1 Committee on
Housing and Urban Development,
then to the Committee on Ways and
Means

At 12:14 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

AFTERNOON SESSION

The Senate reconvened at 2:00 o'clock p.m.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

THIRD READING

Senate Bill No. 605, S.D. 1:

By unanimous consent, action on S.B. No. 605, S.D. 1, was deferred to the end of the evening calendar.

Senate Bill No. 980, S.D. 1:

By unanimous consent, action on S.B. No. 980, S.D. 1, was deferred to the end of the evening calendar.

Senate Bill No. 669, S.D. 1:

By unanimous consent, action on S.B. No. 669, S.D. 1, was deferred to the end of the evening calendar.

Senate Bill No. 969:

By unanimous consent, action on S.B. No. 969 was deferred to the end of the evening calendar.

Senate Bill No. 441, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 441, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERING THE

WELFARE OF A MINOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Kawasaki, Machida and Young).

Senate Bill No. 1093, S.D. 1:

By unanimous consent, action on S.B. No. 1093, S.D. 1, was deferred to the end of the evening calendar.

Senate Bill No. 1113:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 1113, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Kawasaki, Machida and Young).

Senate Bill No. 1172, S.D. 1:

By unanimous consent, S.B. No. 1172, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES," was recommitted to the Committee on Judiciary.

Senate Bill No. 248, S.D. 1:

Senator Carpenter moved that S.B. No. 248, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

Senator Cayetano rose to speak on the measure as follows:

"Mr. President, I will support this bill; however, I have some reservations which I'd like to express for the record.

"This bill, as I understand it, provides for indirect initiative to all issues except appropriation of public funds and levy of taxes. That means that only issues which are really left to the public to express their feelings on will be basically civil liberties and such items.

"Indirect initiative, if you are going to have it at all, should include all matters which come before us including the appropriation of public funds and the levy of taxes. I'm really very disappointed this is the way the bill had to come out. I'm sorry that such compromises had to be made; however, I will support it."

Senator George, in support of the measure, stated:

"Mr. President, I offer the thought, in answer to the previous Senator's reservations, that once you have the initiative, even the indirect initiative, if you care to expand on the powers of the people to enact legislation, all you have to do is do it through initiative. Thank you."

Senator Kuroda spoke against the bill, as follows:

"Mr. President, I'm voting 'no' on this bill. I once supported the idea of initiative, but as I listened to the vice-chairman of the Judiciary Committee make some supportive statements not to have an initiative, as I sat in the committee hearings, I agree that today with the single-member district situation that we have, the legislators are more receptive and more accessible to the individuals and members of the public. There is no need for the initiative because we are available. Thank you."

Senator Cayetano, in response to Senator George, stated:

"Mr. President, in response to Senator George's comments, I don't believe that the initiative process can be expanded through another initiative. After all, this is a constitutional amendment and the constitution would have to be amended accordingly."

The motion was put by the Chair and carried, and S.B. No. 248, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLES II, III, AND XVII OF THE CONSTITUTION OF THE STATE OF HAWAII TO PROVIDE FOR THE INITIATIVE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (Hagino, Holt, Kuroda and Yamasaki). Excused, 2 (Kawasaki and Machida).

Senate Bill No. 563, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Holt and carried, S.B. No. 563, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED ACCEPTANCE OF GUILTY PLEA," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 5 (Abercrombie, Cayetano, Cobb, Fernandes Salling and Uwaine). Excused, 2 (Kawasaki

and Machida).

Senate Bill No. 665, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 665, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM ENFORCEMENT OF FOREIGN JUDGMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Cobb). Excused, 2 (Kawasaki and Machida).

Senate Bill No. 47, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cobb and carried, S.B. No. 47, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SHOPLIFTING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 3 (Abercrombie, Cayetano and Uwaine). Excused, 2 (Kawasaki and Machida).

Senate Bill No. 315:

Senator Carpenter moved that S.B. No. 315, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

Senator George rose to speak against the measure as follows:

"Mr. President, I'm going to vote 'no' on this measure.

"It seems to me it would be against the current trend, which is to make more information available to our constituents.

"It seems to me to make special interest groups more powerful, to weaken the two-party system, since there is no corresponding raising of political party maximums. It casts a veil of secrecy over the disclosure of who pays for political campaigns. It would permit a maximum contribution in an election year of \$10,000 from one source, making those who are currently deemed to be powerful more powerful in influencing political decisions.

"Common Cause points out that casting a veil of secrecy over the disclosure of who pays, who contributes to campaigns, would knock out 85% of the names that are currently reported as those

contributing to campaigns under the current ceiling of one hundred dollars. Five hundred dollars is excessive.

"This bill seems to me to be a step backwards from open and honest politics which is what our constituents expect of us. Thank you."

Senator Abercrombie, in support of the measure, stated:

"Mr. President, I think that the previous remarks need a response, less they be seen as a sum and substance of what is actually at stake here in this bill.

"I think for members who have been here previously my comments will be, I'm sorry to say, repetitive.

"I'm one of the people, I think, who can say that he has not had the advantage of contributions from rich people or organizations, and so on.

"I have been fortunate in having large contributions, however. I have had campaigns where organizations were against me and other campaigns where they were for me. They gave nothing at all or gave up to the maximum. All this is recorded. Everybody can see it.

"If we're talking about vast sums, what is reputed to be vast sums, nothing prevents these from being reported.

"I think, again, members have heard me speak on this issue before about the \$5,000 contribution for an election. I was fortunate enough at one time in my first Senate campaign to have just such a contribution, precisely when I needed it. That individual, whom I asked for fifty dollars, instead gave me \$5,000. That was recorded for everyone to see, whoever cared to. I've only had that fortunate circumstance once in my life. I was dumbfounded when I received it. I attributed it to my virtue. I still do. And inasmuch as somebody was willing to put their name next to that amount of money, they're either a virtuous sort or perhaps have a whimsical sense of humor.

"So, when it comes to that, I have my objection because, if I had money personally there would be no question that I could make that kind of contribution with another zero after it, as a matter of fact.

"All this does is give those of us

who are fortunate enough to be able to not have everybody run at the very sight of us coming down the street because our hands are out, be able to get such contributions as we're able to command and still report it to the community at large. And for those who are already financially well off they'll continue to do as they've always done which is write checks to themselves and spend whatever amount of money that they have, and however much they care to spend out of their personal fortunes.

"So, this is just giving some of the rest of us a chance to catch up to those who are in that kind of a situation. And as for the raise of the threshold with which a contributor must be identified in a campaign spending report, I think that if you take a look at the cost of campaigning today, you'll see that this will actually allow more people to contribute who might not otherwise do it because they would be identified in a way that it might hurt them in their jobs and cause people to take revenge and for having contributed to you.

"I hardly think that if we go to the \$500 level that we're talking about something that is going to sway an election one way or another. However, it can be very damaging for the individual who is going to be attacked as a result of being identified in that fashion.

"I think that this is a good bill.

"Now, if we can get to the area where we're talking about campaign spending limitations, then you'll be getting at the real core of what is the problem with respect to elections and money. And I might say, with respect to the campaign limitations, Mr. President, that how that money is contributed is up to the individual. This is still the United States of America. We're all equal if we have the same spending limit. Once that's accomplished, all the rest of it will fall in place, I believe."

Senator Cobb also spoke in support of the measure and stated:

"Mr. President, I rise to speak in favor of the bill.

"As far as I'm concerned this bill doesn't go far enough because in the last congressional election in 1982, 43 individuals spent over \$1 million of their personal funds. Thirty-five of those 43 individuals were elected. That means that politics, particularly in the congressional arena, has

become a playground for millionaires. This bill will help redress that situation in a small way.

"I said that it doesn't go far enough because I don't think there should be any limit at all on the amount of money that can be contributed to an individual by another individual because if a person can give himself \$1 million anybody else should be able to do exactly the same thing. So, \$5,000 is a very low threshold in terms of a limit per election, which means \$10,000 per year.

"An unsuccessful candidate for governor of New York ran and spent \$7.2 million of his own money. That's the advantage that millionaires have in the political process. That's the reality of money in the political process.

"I might add, with the Common Cause objections to this being a secrecy of the political process, that one of the most devious amendments that I've ever seen take place in my legislative career occurred in 1979 when that same organization through a trick in a House procedure managed to get in the occupation of individuals even though it was not agreed to here in the Senate and, so now, since 1979, the campaign spending forms require occupation to be reported. And that was not something that this body knowingly agreed to.

"As far as the other limits of \$500, I think it's perfectly reasonable because a very large number of contributions today are in excess of \$100 and I doubt very much if an election is going to be swayed by a \$250 or \$400 contribution. Thank you."

Then, Senator B. Kobayashi spoke against the bill as follows:

"Mr. President, I rise to speak against this bill.

"I'm like one of the previous speakers, I have never been fortunate enough to possess \$5,000 worth of virtue and I would suggest that virtue of that sum raises in question one's general application to benefiting the people or the general community of your constituency.

"The particular amount of money involved, I think, is of concern because we, more and more, are seeing Hawaii politics turned into big money politics. I would agree with one of the previous speakers that the

real question here is how we put a lid, an absolute lid of some sort, on campaign spending in general that would apply to everyone.

"We all have different access to large contributions. Unfortunately, these contributions seem to go to certain individuals more than others, and that makes some of the political process unequal. Equality should be based here on merits of candidate, positions on issue, and not necessarily access to large sums of money.

"For those reasons, I'm voting against the bill. Thank you."

Senator Abercrombie, in response, stated:

"Mr. President, by way of response, inasmuch as part of the previous speaker's remarks were directed at my virtue, I might say that ... I think that it ought to be clear to people that this money doesn't go to people like me. I don't see any of it. Uncle Sam sees it at the post office, the printers see it, and as for the \$5,000, I wish Senator Kawasaki was here to hear, the Hawaii Newspaper Agency sees that. I didn't notice that they turned it down. The virtue of the newspapers, certainly, in their profits wasn't at stake, apparently.

"And the reason I had to have that \$5,000, I might add, is because I was being attacked at that time by an organization which had spent probably three times that amount to get to the constituents of my district the last ten days of the campaign in an effort to defeat me.

"So, if we want to talk about big money that I was taking when some of the biggest money in this state that was out to get me in that election ... all that salvaged me in that situation was one individual who got mad as hell that some big organizations were trying to gang up on me to knock me out of office, not on the basis of my virtue, which was apparent to everybody including the voters in that election, but on the basis that because of my virtue they didn't want me in there. So, another virtuous individual in the community scraped together the money and went in and backed me up. Now, that's the kind of thing I'm talking about.

"That was good old American politics fighting back against the people who were trying to oppress the voters' will. So let's get it

straight as to what it was, and how it was working. I was being jumped on by the big guys and one of the little guys came back and kicked back and we won, and that's good.

"All I'm saying is that this bill gives us a chance to do it when we get jumped on.

"I might say, in addition, with respect to the remarks about whether that influences the election, anybody who cares to examine my record and point out where I have been influenced or any of my colleagues have been influenced, they're welcome to do so in any campaign and take it to the voters and point it out to them so they can take their proper revenge at the polls.

"And I say in conclusion that when I was trying to raise money for the previous speaker, I didn't notice that there was any limit on what I was supposed to be raising for."

Senator George further remarked as follows:

"Mr. President, I think there has to be an effort to get this away from personal campaign reminiscences and back on the track of what we're really talking about.

"I have no objection to a good bit of the material that's in this bill, but I think it's very important to remember that what we would be doing and what some of the arguments presented here would do is to deprive the electorate of knowing where campaign money comes from unless the contribution is in excess of \$501.00. To me, this is an extremely important thing.

"The suggestion is made that people are ashamed. They want their names not known in public; therefore, they do not make contributions in excess of \$100.00. I think I have nothing in my campaign history, if we can get back to personal reminiscences, that I'm ashamed of, and I don't think anybody who's ever contributed to my campaign or for that matter to anybody else's campaign, should be ashamed of backing that person.

"If you were willing to write a check for \$50 or \$100 or \$150 or \$5,000, you should be willing to let that be known. You should be proud of your support of the candidates who speak for you and in your name.

"I beg my colleagues to consider

that in a time when sunshine is one of the important things to the people we represent that we not draw a veil over some of the political process; that we let everything hang out, so to speak. Thank you."

Senator Carpenter then rose to support the measure and stated:

"Mr. President, I rise to speak in favor of this bill.

"Not wanting to get involved in discussions on virtuosity, having had little experience in that area, I would like to point out that to some of the points mentioned earlier by my colleagues, that one of the human circumstances that impacts us at this time is that some individuals would prefer not be recorded as having made contributions to certain individuals. Because the limit is set at \$100 at the present time for recordation purposes, contributors have taken other means and devious means, perhaps, of not telling it as it is. The measure before us allows individuals who do in fact make contributions in excess of \$100 to legally do so and essentially be protected. I believe that that information certainly is accessible to the public by virtue of the records that are kept by the individual contributors or individuals running for office.

"I believe that we've created a situation by the present statute which, because some people have certain concerns, basically, have impeded their wanting to comply to the present law and in so doing circumvent that law to make dishonest people out of otherwise honest people.

"What this bill hopes to do is to make them whole again so that they can indeed express their monetary interest and support of individuals who are competent to stand for office. Thank you."

The motion was put by the Chair and carried, and Roll Call having been requested, S.B. No. 315, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 14. Noes, 9 (Ajifu, Chang, George, Henderson, A. Kobayashi, B. Kobayashi, Kuroda, Soares and Toguchi). Excused, 2 (Kawasaki and Machida).

At 2:21 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:26 o'clock p.m.

Senate Bill No. 446, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 446, S.D. 1, entitled: "A BILL FOR AN ACT TO AMEND SECTION 707-741, HAWAII REVISED STATUTES, CREATING TWO CLASSES OF INCEST," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Machida).

Senate Bill No. 923, S.D. 1:

Senator Carpenter moved that S.B. No. 923, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

Senator Fernandes Salling supported the measure and stated:

"Mr. President, I rise to speak in favor of this bill.

"We should commend the Senate Judiciary Committee for addressing this problem of excessive commissions that are being paid to trustees of charitable trusts.

"I would like to point out two things to my colleagues. First, the purpose of this bill is to modify the compensation of trustees of charitable trusts with annual incomes in excess of \$205,000. Trusts whose annual income is under this amount will be unaffected. Secondly, the commission schedule set out in the bill is similar to what is contained in the probate code for personal representatives.

"Thank you."

The motion was put by the Chair and carried, and S.B. No. 923, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE TRUSTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 3 (Holt, Mizuguchi and Wong). Excused, 2 (Kawasaki and Machida).

Standing Committee Report No. 390

(S.B. No. 505, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 390 and S.B. No. 505, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A STATEWIDE TRANSITION TO WORK SYSTEM," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 393 (S.B. No. 1173, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 393 was adopted and S.B. No. 1173, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF TAX ANTICIPATION NOTES OF THE COUNTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Machida).

At this time, the Chair made the following announcement:

"Members of the Senate, we will take a recess very shortly to reconvene at approximately 5:00 o'clock p.m. to take up the afternoon calendar. During the recess, I would like to ask the members to submit their requests for 'end of calendar' placement of bills to the President's office."

At 2:36 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

EVENING SESSION

The Senate reconvened at 8:10 o'clock p.m. with all members present.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 281 to 290), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 281) transmitting House Bill No. 1, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1, H.D., entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed First

Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 282) transmitting House Bill No. 144, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 144, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETENTION OF JURISDICTION," passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 283) transmitting House Bill No. 387, H.D. 2, which passed Third Reading in the House of Representatives on March 16, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 387, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 284) transmitting House Bill No. 702, H.D. 2, which passed Third Reading in the House of Representatives on March 16, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 702, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed First Reading by title and was referred to the Committee on Hawaiian Programs, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 285) transmitting House Bill No. 187, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 187, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY," passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 286) transmitting House Bill No. 353, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 353, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DANGEROUS INSTRUMENTS," passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 287) transmitting House Bill No. 538, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 538, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMITATION CONTROLLED SUBSTANCES," passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 288) transmitting House Bill No. 579, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 579, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED USE OF LAW ENFORCEMENT SYMBOLS," passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 289) transmitting House Bill No. 1153, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1153, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 290) transmitting House Bill No. 1237, which passed Third Reading in the House of

Representatives on March 16, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1237, entitled: "A BILL FOR AN ACT RELATING TO BICYCLE LICENSES," passed First Reading by title and was referred to the Committee on Government Operations and County Relations, then to the Committee on Ways and Means.

STANDING COMMITTEE REPORTS

Senator Toguchi for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 611) recommending that Senate Concurrent Resolution No. 44 be adopted.

On motion by Senator Toguchi, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.C.R. No. 44, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING NATIONAL 'AGRICULTURE DAY' AND DESIGNATING MARCH 21, 1983 AS 'HAWAII AGRICULTURE DAY'," was adopted.

Senator Toguchi for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 612) recommending that Senate Resolution No. 56 be adopted.

On motion by Senator Toguchi, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 56, entitled: "SENATE RESOLUTION RECOGNIZING NATIONAL 'AGRICULTURE DAY' AND DESIGNATING MARCH 21, 1983 AS 'HAWAII AGRICULTURE DAY'," was adopted.

ORDER OF THE DAY

THIRD READING

MATTERS DEFERRED FROM THE MORNING CALENDAR

Senate Bill No. 605, S.D. 1:

On motion by Senator Machida, seconded by Senator Young and carried, S.B. No. 605, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 6 (Abercrombie, Cayetano, Carpenter, Fernandes

Salling, Kawasaki, and Yamasaki). Excused, 1 (Uwaine).

At 8:14 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:15 o'clock p.m.

Senate Bill No. 980, S.D. 1:

By unanimous consent, S.B. No. 980, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY HOSPITALS," was recommitted to the Committee on Health.

Senate Bill No. 669, S.D. 1:

On motion by Senator Machida, seconded by Senator Young and carried, S.B. No. 669, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Ajifu and George). Excused, 1 (Uwaine).

Senate Bill No. 969:

By unanimous consent, S.B. No. 969, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," was recommitted to the Committee on Housing and Urban Development.

THIRD READING

Senate Bill No. 221, S.D. 1:

By unanimous consent, S.B. No. 221, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII COLLEGE OF EDUCATION," was recommitted jointly to the Committee on Education and the Committee on Higher Education.

Senate Bill No. 1254:

On motion by Senator Holt, seconded by Senator Abercrombie and carried, S.B. No. 1254, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Uwaine).

Senate Bill No. 1258, S.D. 1:

Senator Holt moved that S.B. No. 1258, S.D. 1, having been read throughout, pass Third Reading,

seconded by Senator Uwaine.

Senator Kawasaki rose to speak against the measure as follows:

"Mr. President, I rise to speak against passage of this bill.

"While it is generally said that the bill and what it provides is mandated by the Constitution and the Constitutional Convention delegates, I lack the confidence that I should have in the ability of the administration at the Manoa campus to be given complete autonomy in the governing of their affairs. This is the result of my observations of the University's administration there for many years, not the least of which is the scandalous fashion in which the former chancellor was dismissed.

"I am a little disturbed about the manner in which, unilaterally, the University administration has raised salaries without any concern about the financial wherewithal available to the Legislature to provide for the salary increases that they have granted for certain categories of their administrative staff.

"There are many other instances of this manner in which the administration (some of the Board of Regents members) has attended to the affairs of the University.

"Until I am assured that we can confidently place the responsibility on their shoulders squarely and support them by means of appropriations that we appropriate in the Legislature here, I can't quite vote for this bill, and for that reason, I will go on record as voting against this bill."

The motion was put by the Chair and carried, and S.B. No. 1258, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JURISDICTION OF THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Cobb, Fernandes Salling, Kawasaki, B. Kobayashi, Solomon and Yamasaki).

Senate Bill No. 19, S.D. 1:

By unanimous consent, S.B. No. 19, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF BUSINESS OPPORTUNITIES," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 33, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 33, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDSCAPE ARCHITECTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Fernandes Salling).

Senate Bill No. 55, S.D. 1:

Senator Cobb moved that S.B. No. 55, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chang.

Senator Cayetano, although in support of the bill, stated:

"Mr. President, I'm going to vote for this bill; however, in my discussion with the chairman, I expect that after the bill is passed the University of Hawaii Law School and other legal experts will be involved to examine and advise the future Legislature accordingly."

Senator Cobb, in response, stated:

"Mr. President, I might add that the University Law School, several of its professors and many of its students and former students, have been involved in the formulation of this measure, as well as the Hawaii Bar Association, on a rather intimate basis. I expect such review and input to continue."

Senator Carpenter then added: "Mr. President, I just hope that in the process the 33,000 corporations that exist in the State of Hawaii somehow get informed of this bill too. Thank you."

The motion was put by the Chair and carried, S.B. No. 55, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BUSINESS CORPORATION ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 184, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 184, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF

OSTEOPATHY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 435, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 435, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREDIT INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 469:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 469, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 777:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 777, entitled: "A BILL FOR AN ACT RELATING TO FOREIGN LENDERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 798:

By unanimous consent, S.B. No. 798, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 950, S.D. 1:

By unanimous consent, S.B. No. 950, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE CORPORATIONS," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 1001:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 1001, entitled: "A BILL FOR AN ACT RELATING TO THE INDUSTRIAL LOAN COMPANY GUARANTY ACT," having been read

throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1295, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 1295, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1339, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 1339, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 516, S.D. 1:

By unanimous consent, S.B. No. 516, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSECUTION OF CONSUMER COMPLAINTS BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 142, S.D. 1:

By unanimous consent, S.B. No. 142, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was recommitted to the Committee on Ecology, Environment and Recreation.

Senate Bill No. 760, S.D. 1:

On motion by Senator Chang, seconded by Senator Hagino and carried, S.B. No. 760, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 662:

By unanimous consent, S.B. No. 662, entitled: "A BILL FOR AN ACT

RELATING TO THE MOORING OF COMMERCIAL VESSELS IN SMALL BOAT HARBORS," was recommitted to the Committee on Ecology, Environment and Recreation.

Senate Bill No. 1351, S.D. 2:

On motion by Senator Chang, seconded by Senator Hagino and carried, S.B. No. 1351, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Senate Bill No. 913, S.D. 1:

By unanimous consent, S.B. No. 913, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STADIUM AUTHORITY," was recommitted to the Committee on Ecology, Environment and Recreation.

Senate Bill No. 953:

On motion by Senator Toguchi, seconded by Senator Solomon and carried, S.B. No. 953, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 66:

On motion by Senator Mizuguchi, seconded by Senator Abercrombie and carried, S.B. No. 66, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1290, S.D. 1:

By unanimous consent, S.B. No. 1290, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," was recommitted to the Committee on Human Resources.

Senate Bill No. 372, S.D. 1:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, S.B. No. 372, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO THE DEFINITION OF STANDARD BAR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 664, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Abercrombie and carried, S.B. No. 664, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION ASSISTANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 977, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Cayetano and carried, S.B. No. 977, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Abercrombie, George, Fernandes Salling, Kawasaki and B. Kobayashi).

Senate Bill No. 167, S.D. 1:

On motion by Senator Young, seconded by Senator Holt and carried, S.B. No. 167, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FACTORY-BUILT HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1003, S.D. 1:

On motion by Senator Cobb, seconded by Senator Young and carried, S.B. No. 1003, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND SALES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 688, S.D. 1:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, S.B. No. 688, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LIQUOR

COMMISSIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 678, S.D. 1:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, S.B. No. 678, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXCHANGE OF REAL PROPERTY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1004, S.D. 1:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, S.B. No. 1004, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 806, S.D. 1:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, S.B. No. 806, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT FOR GOODS AND SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 663:

By unanimous consent, S.B. No. 663, entitled: "A BILL FOR AN ACT RELATING TO CONCESSION BID DEPOSITS," was recommitted to the Committee on Government Operations and County Relations.

Senate Bill No. 546, S.D. 1:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, S.B. No. 546, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1283, S.D. 1:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, S.B. No. 1283, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 8:27 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:28 o'clock p.m.

Senate Bill No. 309, S.D. 1:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, S.B. No. 309, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARTHQUAKES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Mizuguchi, Toguchi and Soares).

Senate Bill No. 656, S.D. 1:

On motion by Senator Chang, seconded by Senator Hagino and carried, S.B. No. 656, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION AND RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Senate Bill No. 1285, S.D. 1:

On motion by Senator Chang, seconded by Senator Hagino and carried, S.B. No. 1285, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 276, S.D. 1:

By unanimous consent, S.B. No. 276, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPULSORY SCHOOL ATTENDANCE," was recommitted to the Committee on Education.

Senate Bill No. 1046, S.D. 1:

By unanimous consent, S.B. No. 1046, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL PRIORITY FUND," was recommitted to the Committee on Education.

Senate Bill No. 1047:

By unanimous consent, S.B. No. 1047, entitled: "A BILL FOR AN ACT RELATING TO RESTITUTION FOR VANDALISM OF PUBLIC SCHOOLS," was recommitted to the Committee on Education.

Senate Bill No. 1050:

On motion by Senator Abercrombie, seconded by Senator Mizuguchi and carried, S.B. No. 1050, entitled: "A BILL FOR AN ACT RELATING TO ATTENDANCE AT CLASSES OUTSIDE A SCHOOL DISTRICT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Cayetano).

Senate Bill No. 1057, S.D. 1:

On motion by Senator Abercrombie, seconded by Senator Mizuguchi and carried, S.B. No. 1057, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER EDUCATION INSTRUCTORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1270, S.D. 1:

By unanimous consent, S.B. No. 1270, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS," was recommitted to the Committee on Education.

Senate Bill No. 1372, S.D. 1:

On motion by Senator Abercrombie, seconded by Senator Mizuguchi and carried, S.B. No. 1372, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Toguchi).

Senate Bill No. 369:

By unanimous consent, S.B. No. 369, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY LAW," was recommitted to

the Committee on Transportation.

Senate Bill No. 418, S.D. 1:

On motion by Senator Uwaine, seconded by Senator Yamasaki and carried, S.B. No. 418, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KONA AIRPORT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 449 (S.B. No. 741, S.D. 1):

On motion by Senator Uwaine, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 449 was adopted and S.B. No. 741, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY VEHICULAR TAX REFUNDS; VEHICLES REMOVED FROM THE STATE; JUNKED VEHICLES; VEHICLES BROUGHT INTO THE STATE; EXEMPTIONS FOR STORED VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 450 (S.B. No. 742, S.D. 2):

On motion by Senator Uwaine, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 450 was adopted and S.B. No. 742, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DERELICT VEHICLE; SALE OF ABANDONED VEHICLES BY TOWING COMPANIES; AND MOTOR VEHICLE REPAIR BUSINESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 749:

On motion by Senator Uwaine, seconded by Senator Yamasaki and carried, S.B. No. 749, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1247, S.D. 1:

On motion by Senator Uwaine, seconded by Senator Yamasaki and carried, S.B. No. 1247, S.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 324, S.D. 1:

Senator Toguchi moved that S.B. No. 324, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Solomon.

Senator Abercrombie, for the record, stated:

"Mr. President, I wish merely to note for the record my joy at seeing that bee semen was retained in the bill. All the beekeepers in Hawaii and those of us who enjoy the benefits of the bee industry are very happy to see that the semen is well in hand, so to speak."

The motion was put by the Chair and carried, and S.B. No. 324, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 383, S.D. 1:

By unanimous consent, S.B. No. 383, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEED," was recommitted to the Committee on Agriculture.

Senate Bill No. 388, S.D. 1:

By unanimous consent, S.B. No. 388, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PRODUCT PROMOTION," was recommitted to the Committee on Agriculture.

Senate Bill No. 651:

By unanimous consent, S.B. No. 651, entitled: "A BILL FOR AN ACT RELATING TO STATE FAIRS," was recommitted to the Committee on Agriculture.

Senate Bill No. 194, S.D. 1:

On motion by Senator Aki, seconded by Senator Carpenter and carried, S.B. No. 194, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN AMENDMENT TO SECTION 314-8,

HAWAII REVISED STATUTES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 956, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 956, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUITS AGAINST THE STATE AND THE VARIOUS COUNTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1161, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Abercrombie and carried, S.B. No. 1161, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Cayetano, Fernandes Salling and Uwayne).

Senate Bill No. 1239, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 1239, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES FOR FRIVOLOUS CLAIMS OR DEFENSES IN CIVIL ACTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 747, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 747, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, AND SEPARATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 313, S.D. 1:

By unanimous consent, action on

S.B. No. 313, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 196, S.D. 1:

By unanimous consent, S.B. No. 196, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLACE OF IMPRISONMENT," was recommitted to the Committee on Judiciary.

Senate Bill No. 347, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cobb and carried, S.B. No. 347, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF FIREARMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Abercrombie, Cayetano, Chang, Fernandes Salling, Henderson and Solomon).

Senate Bill No. 1092, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 1092, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ATTORNEY GENERAL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1157, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 1157, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF CONVICTED PERSONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 596, S.D. 1:

By unanimous consent, S.B. No. 596, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was recommitted to the Committee on Judiciary.

Senate Bill No. 580, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 580, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE INVESTIGATING COMMITTEES," having been read throughout, passed

Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1140:

By unanimous consent, action on S.B. No. 1140, was deferred to the end of the calendar.

Senate Bill No. 748, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 748, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, AND SEPARATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 569, S.D. 1:

By unanimous consent, action on S.B. No. 569, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 489, S.D. 1:

By unanimous consent, S.B. No. 489, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was recommitted to the Committee on Judiciary.

Standing Committee Report No. 473 (S.B. No. 1100, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 473 and S.B. No. 1100, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 58:

By unanimous consent, action on S.B. No. 58, was deferred to the end of the calendar.

Senate Bill No. 924:

On motion by Senator Fernandes Salling, seconded by Senator Machida and carried, S.B. No. 924, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 724, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Machida

and carried, S.B. No. 724, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Young).

Senate Bill No. 934, S.D. 1:

Senator Machida moved that S.B. No. 934, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Young.

Senator Machida rose to speak in support of the bill and stated:

"Mr. President, just a few remarks in support of the bill.

"In our caucus a concern was expressed and I'd like to pass it on to the members.

"This is the bill that calls for a ten-year retention of medical records and, the concern expressed was that before destruction the patient be given the opportunity to retain the records on his own.

"We will transmit this information to the House and hope that they will amend the bill to that effect."

The motion was put by the Chair and carried, and S.B. No. 934, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL RECORDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 361, S.D. 1:

On motion by Senator Machida, seconded by Senator Young and carried, S.B. No. 361, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Fernandes Salling).

Senate Bill No. 359, S.D. 1:

On motion by Senator Machida, seconded by Senator Young and carried, S.B. No. 359, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOODS, DRUGS, AND COSMETICS," having been read throughout, passed Third Reading on

the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (George, Carpenter, Henderson and Soares).

Senate Bill No. 236, S.D. 1:

On motion by Senator Machida, seconded by Senator Young and carried, S.B. No. 236, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMED CONSENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (George).

Senate Bill No. 993:

On motion by Senator Toguchi, seconded by Senator Solomon and carried, S.B. No. 993, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1146, S.D. 1:

On motion by Senator Solomon, seconded by Senator Toguchi and carried, S.B. No. 1146, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 483 (S.B. No. 717, S.D. 1):

On motion by Senator Solomon, seconded by Senator Toguchi and carried, Stand. Com. Rep. No. 483 was adopted and S.B. No. 717, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREVENTIVE MEDICINE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 850:

By unanimous consent, S.B. No. 850, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 328, HAWAII REVISED STATUTES," was recommitted to the Committee on Health.

Senate Bill No. 851:

By unanimous consent, S.B. No. 851, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 328, HAWAII REVISED STATUTES," was recommitted to the Committee on Health.

Senate Bill No. 764, S.D. 1:

Senator Cobb moved that S.B. No. 764, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chang.

Senator Kawasaki rose to speak against the measure as follows:

"Mr. President, I rise to speak against this bill.

"In effect, this is another of those bills that's come before us where the consumer interest has been abandoned. This bill increases the interest rate payable by consumers who are credit cardholders on their credit card balances.

"These balances would, if not paid within a specified time, now carry an interest charge of 21 percent. It appears to me that conditions regarding interest rate charges have become quite appalling. About a year and a half, two years ago, we'd throw people in jail for charging 13 percent interest as being an offense against the usury laws of this state. Now, we, in rather cavalier fashion, seem to have no concern about passing interest rate charges to credit cardholders as high as 21 percent. This, in my judgment, does not help the consumer population of this state which is practically everybody, other than the rich.

"It seems that this is a bad bill. We're encouraging these companies that provide credit cards to charge what is statutorily allowable up to 21 percent. It is a bad bill and I will vote against it.

Senator Cobb, in support of the measure, stated:

"Mr. President, first of all, to correct the statement that credit card interest for the last ten years or so has been 18 percent.

"This bill provides that an institution, be it a bank, a retailer or anyone else, may either charge 18 percent with a service fee which is currently allowed under the law today or 21 percent with no service fee. The determination of whether or not that is to be done is a business decision.

"I would further state that in the matter of usury, we have had a 24 percent usury ceiling for Chapter 408 and 18 percent usury ceiling for Chapter 476 for some time now, and the present rates being charged are no where near those ceilings. Competition being the prime determinant in the marketplace.

"Furthermore, Mr. President, it was pointed out both in the caucus as well as in committee that, in effect, cash purchasers are subsidizing those who use credit cards and then do not pay off all their balance or pay it off slowly. This will at least in some manner redress that, while at the same time allowing business to make a decision whether or not it wants to go with the service fee as the banks are today, or not to go with the service fee.

"I have asked the members' support because I think it's a reasonable bill, and it also has a sunset of June 30, 1985, along with all other usury statutes."

Senator Abercrombie spoke against the bill as follows:

"Mr. President, speaking against the bill, I was of a couple of different minds on this bill for a while and I concluded that I should vote against it on the basis of the representation made by the chairman.

"I think he's probably correct in one sense, that is to say that if you have the cash by a certain work of art, if you will, you can say you're subsidizing the people who are buying on credit. But I would submit to you that there would be very few businesses in business today were they not able to extend credit, and did they not extend credit in the ordinary course of doing business. I would not like to see a situation where the only people who would be able to participate in the economy are those who have sufficient cash available to them that they could operate in terms of purchases while the rest of us who do not have sufficient cash could not operate.

"I might point out, if we're going to adopt that kind of a system, the State of Hawaii will go out of business. And the United States Government will go out of business. That might be a good idea from some points of view.

"But to extend credit, it seems to me, and then to turn around and say that the people who are utilizing the

extension of credit are somehow less worthy individuals than those who have the capacity to pay cash, I think, is a disservice to the people who have credit. I might point out that those people who are most likely to have cash to spend these days are the people who are growing dope."

Senator B. Kobayashi then spoke for the measure as follows:

"Mr. President, I rise to speak in favor.

"The bill really addresses three groups of consumers. The first group of consumers would be those who pay cash. The second group of consumers are those people who use credit cards but pay off their monthly balances completely and hence do not pay any interest. The third group of people are the people who use credit cards but who do not pay up monthly balances completely.

"What you have is a system in which each of the groups below the other subsidizes the other to one degree or another; that is, the people who pay cash subsidize the other two groups, those who use credit cards in one fashion or another.

"Those who use credit cards and pay off their bills at the end of the month completely subsidize the people who don't pay off their credit card balances completely at the end of the month.

"What we don't want to see is a situation in which one set of customers subsidizes another set of customers without good public reason. There is no public benefit derived when you have indiscriminate self-choice where one group of people can elect to be subsidized by another group of individuals. This bill goes a short measure to resolve that problem. Thank you."

Senator Abercrombie, in response, stated:

"Mr. President, in response to the previous statement, if this is the case, why don't all the companies who have that kind of credit all cancel their credit cards?

"If they're so concerned about it and we're so concerned about the public interest, cancel the credit card unless you're able to pay the full amount every single month. I don't know how many of you have credit cards in here and I don't know how many of you are able to pay 'em off

every single month.

One of the reasons for having credit cards and, by the way, one of the reasons that various businesses extend credit to a certain number is that they recognize that in some months you may have expenses beyond that which you are able to cover in that particular month that's why you're allowed a certain level of money, \$400, \$1,000, \$1500. It's not expected that you'd be able to do it.

"I have no objection to paying a certain amount of interest. Some months I'm able to pay on the credit card the entire amount. Sometimes I am not. I expect to pay interest under those circumstances. The question here that was raised originally by Senator Kawasaki was, is this a fair rate?

"Even if one does not dispute some of the essentials of the arguments made by the two speakers in favor of making this change, in effect, it's almost as if we're saying that the businesses are going to punish those people who are not able to pay the full amount every month. Well, if they didn't want that kind of business, then they should not extend credit to those of us who cannot pay the full amount every month.

"I don't think it's fair to raise the amount from 18 to 21 percent as long as the companies who are extending the credit know perfectly well that not everybody is going to be able to do that and extend the credit to you on that basis with the full knowledge that not every month will the full sum be paid."

Senator Chang spoke in support of the measure as follows:

"Mr. President, I rise to speak in favor of this bill.

"I think one of the beneficiaries of this bill would be that sector of commerce, the small retailer, who as a community service extends credit to such groups as youth sports teams who do not have a ready cash reserve but wish to participate in leagues which require or suggest that the teams have uniforms and equipment. The retailer, wishing to perform a community service, extends credit to such groups but in the process has the cost of the credit to carry because of the statutory maximum. Really, this amount of money is a burden.

"This bill represents a compromise

whereby the small retailer can continue to perform a community service but be permitted to pass on the carrying charges for such credit to the consumer."

Senator Kawasaki further remarked on the measure as follows:

"Mr. President, I just want to add a short comment.

"The only reason why a credit cardholder, when he is charged 18 percent on a balance that he hasn't paid within a reasonable amount of time, and I assume this to be 30 days, the only reason, more often than not, is that he does not pay this balance when he has to pay 18 percent interest, if he doesn't do it on time, is because he simply hasn't got the money.

"In a situation where the preponderance of these people who do not pay in time have the burden of trying to find the money to pay the balance that they owe, to raise this interest rate up to 21 percent is just encouraging the merchants who do offer this kind of service to charge the full 21 percent.

"The bottom line end result is primarily what most business people, including credit card companies, are concerned about and I'm afraid the enactment of this interest statute only works a hardship on these people who really can't afford to pay on time.

The motion was put by the Chair and carried, and S.B. No. 764, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Abercrombie, Cayetano, Fernandes Salling, Kawasaki and A. Kobayashi).

At 8:50 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:01 o'clock p.m.

Senate Bill No. 810, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 810, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Abercrombie, Cayetano, Fernandes Salling, Kawasaki, Solomon and Young).

Senate Bill No. 191, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 191, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 177, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 177, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 640, S.D. 1:

By unanimous consent, action on S.B. No. 640, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 169, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 169, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE REPAIR INDUSTRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Abercrombie, Fernandes Salling and Kawasaki).

Senate Bill No. 785, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 785, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREDIT SALES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Kawasaki).

Senate Bill No. 786, S.D. 1:

Senator Cobb moved that S.B. No. 786, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chang.

Senator Abercrombie rose to speak against the bill as follows:

"Mr. President, I oppose this bill not so much because of the intent associated with it, but rather the circumstances that it allows; that is to say, when you have language that provides for no new time share unit or time share plan to be created unless explicitly and prominently authorized, etc., in the project instruments. What we're saying here again is that we're encouraging the extension of time sharing.

"Apparently, this monster continues to be able to garble up the State of Hawaii like a gigantic 'Pac-Man.' The sad part about it is that it isn't a game. The sad part about it is that as was indicated in a recent Wall Street Journal article that this parasitic industry is actually being encouraged to infest the body of real estate activity here in the State of Hawaii.

"You can put fancy labels on it. You can make fancy apartments out of the time sharing situation as apparently United Airlines and the Ilikai Hotel are going to do, or you can have the sleazy operations that are all too typical of many of these so-called clubs, but it all comes down to the same thing.

"The time sharing industry in this state, as in any other state that it takes place, is nothing more than a form of organized real estate mugging of the consumer and will never be anything else; can't be anything else; and the fact that we continue to encourage it in this state is something that fills me with a great deal of sadness.

"It all strikes me as interesting that we keep talking about promoting tourism in Hawaii, visitor satisfaction, and yet we allow this kind of an operation to get underway because a few individuals are able to make a great deal of money. That's really what it's all about.

"It doesn't service the tourist industry; it doesn't service the tourist consumer; it doesn't service the overall majority of the people in the State of Hawaii. If anything, it's a positive detriment in terms of the housing situation in Hawaii where money is likely to be invested.

"We have a constant problem with the Housing Committee always trying to come up with ideas for extending the capacity for people to be able to purchase housing or rent housing,

and yet we encourage an industry which can only take capital away from such projects; can only encourage capital to enter these markets because it's so lucrative in the short term; and can only encourage the fly-by-night operations and the visitor dissatisfaction that we see on every side reported every day continue."

Senator Cobb spoke in support of the measure as follows:

"Mr. President, I rise to speak in favor of the bill.

"This bill is a further restriction on time sharing, not an encouragement of it. It addresses the problem that exists where you have a mixed-use project in a permitted zone, and a resort zone, and it turns the situation completely around where at the present time sharing may continue in such a mixed-use project unless it is specifically and explicitly authorized in the project instruments.

"This bill will provide that it is banned from further expansion in an already existing unit where time sharing is already present unless the project instruments are amended in whatever bylaws requirement there is to allow for it."

The motion was put by the Chair and carried, and S.B. No. 786, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Abercrombie, Henderson, Kawasaki and Soares).

Senate Bill No. 452:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 452, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Soares).

Senate Bill No. 801, S.D. 1:

By unanimous consent, S.B. No. 801, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 757, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 757, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 529, S.D. 1:

By unanimous consent, S.B. No. 529, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 558:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 558, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 29, S.D. 1:

Senator Cobb moved that S.B. No. 29, S.D. 1, having been read throughout pass Third Reading, seconded by Senator Chang.

Senator Abercrombie, against the measure, remarked: "Mr. President, I notice that this is related to prizes and gift offers. I wonder when the time sharing people will offer us a gift of peace?"

The motion was put by the Chair and carried, and S.B. No. 29, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Kawasaki).

Senate Bill No. 1465, S.D. 2:

By unanimous consent, S.B. No. 1465, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was recommitted to the Committee on Ways and Means.

Senate Bill No. 1464, S.D. 2:

By unanimous consent, action on S.B. No. 1464, S.D. 2, was deferred

to the end of the calendar.

Standing Committee Report No. 502 (S.B. No. 1461, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 502 and S.B. No. 1461, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1077, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1077, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMERISM IN PUBLIC UTILITIES REGULATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1069, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1069, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Ajifu, George, A. Kobayashi and Soares).

Senate Bill No. 613, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 613, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Ajifu, George, A. Kobayashi and Soares).

Senate Bill No. 114, S.D. 1:

By unanimous consent, S.B. No. 114, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," was recommitted to the Committee on Economic Development.

Senate Bill No. 156, S.D. 1:

By unanimous consent, S.B. No. 156, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT," was recommitted to the Committee on Economic Development.

Senate Bill No. 137, S.D. 1:

By unanimous consent, S.B. No. 137, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was recommitted to the Committee on Economic Development.

Senate Bill No. 1075, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1075, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Ajifu).

Senate Bill No. 195:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 195, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 9:11 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:12 o'clock p.m.

Senate Bill No. 526:

By unanimous consent, S.B. No. 526, entitled: "A BILL FOR AN ACT RELATING TO WIND ENERGY," was recommitted to the Committee on Economic Development.

Senate Bill No. 756:

By unanimous consent, action on S.B. No. 756, was deferred to the end of the calendar.

Senate Bill No. 1008:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1008, entitled: "A BILL FOR AN ACT RELATING TO COMMISSION ON THE YEAR 2000," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1082, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1082, S.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO LAND USE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Hagino, Kawasaki, Toguchi and Yamasaki).

Senate Bill No. 131, S.D. 1:

Senator Cayetano moved that S.B. No. 131, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Soares rose to ask if the chairman of the committee would yield to a question and Senator Cayetano having replied in the affirmative, Senator Soares asked:

"Mr. President, I'd like to just find out in the discussion of the bill during the hearing ... I know we discussed the costs of the repair of the dams ... in looking at the digest and also the bill, it refers to repairs of a dams in the bill and I wanted to find out from the committee chairman, did we ever have that answer made to the committee as to who's going to be paying the cost for those repairs of all those dams? Are they both public and private, or whatever?"

Senator Cayetano answered: "Mr. President, the repairs of the dams, as far as I know, will be made by the private sector."

Senator Soares responded: "Mr. President, okay, because in the copy of the bill it says it provides penalties and it provides for repairs, and I wonder whether or not there'll be some cost to the state in the repairing of the dams or not. Thank you."

Senator Henderson also asked if the chairman would yield to a question and Senator Cayetano having replied in the affirmative, Senator Henderson asked:

"Mr. President, I'd like to know where these dams are located, and if there are any federal funds that could be used to repair them and what sort of exposure there is to persons or property from these dams?"

Senator Cayetano answered: "Mr. President, I think they're located in proximity to water."

"Mr. President, they're all over the state, as the Senator knows, including plantations. We don't have

the kind of dams that they have on the Mainland. Our dams are relatively small, but most of them are on plantations."

Senator Henderson further inquired: "Mr. President, I wonder if the chairman could advise us if these dams are located in places that would be a potential hazard or danger to people or property? Are there settlements below the dams, housing?"

Senator Cayetano answered: "Mr. President, you know, actually, I should have given this bill to Senator Hagino. I think he wanted it in the first place.

"Mr. President, I don't know of any dam that is located above a settlement of any kind. I don't think we have dams that large here.

"During the hearing, if I recall correctly, however, there was some testimony that there was flooding in the 1970's, I believe, either down in Waialua or Haleiwa, someplace, and as a result of the flooding one of the dams broke and I think there was a loss of life."

Senator Henderson then remarked: "Mr. President, my concern here, as you can see, is that some of these dams are located in remote sections of the state.

The plantation reservoir dams are located usually in gulches where there are no settlements or housing or cities or towns anywhere related to them.

"We're putting an additional burden on our basic sugar industry in this state by asking that these dams be repaired at who knows what cost, at a particular time that the industry is hard pressed.

"I just feel that this bill, at this particular time, when you don't identify the particular dams that you're concerned about, is ill-advised. Thank you."

Senator Cayetano responded: "Mr. President, I don't think it is the function of the bill to identify those dams. I think the dams will be identified by the government agencies which will be doing the enforcement and inspection.

"The Senator brings up a very good point. The committee weighed the merits and demerits of the bill. We certainly took into consideration the possible economic impact this bill may have on the plantations, but in

the wash we felt it was best to pass the bill out."

The motion was put by the Chair and carried, and S.B. No. 131, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DAMS AND RESERVOIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Ajifu and Henderson).

Senate Bill No. 164, S.D. 1:

By unanimous consent, S.B. No. 164, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," was recommitted to the Committee on Economic Development.

Senate Bill No. 907:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 907, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 9:18 o'clock p.m. the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:19 o'clock p.m.

Senate Bill No. 1072, S.D. 1:

By unanimous consent, action on S.B. No. 1072, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 903, S.D. 1:

By unanimous consent, action on S.B. No. 903, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1080, S.D. 1:

By unanimous consent, action on S.B. No. 1080, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 521 (S.B. No. 649, S.D. 2):

On motion by Senator Cobb, seconded by Senator Chang and carried, Stand. Com. Rep. No. 521 was adopted and S.B. No. 649, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OSTEOPATHY," having been read throughout, passed Third Reading on the following showing of

Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 285, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 285, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTE OF LIMITATIONS FOR MOTOR VEHICLE REPARATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1288, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 1288, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOXING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 808:

By unanimous consent, S.B. No. 808, entitled: "A BILL FOR AN ACT RELATING TO RECEIPTS," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 1338, S.D. 2:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 1338, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 186, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 186, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE INVESTIGATORS AND GUARDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Chang).

Senate Bill No. 800, S.D. 1:

By unanimous consent, action on S.B. No. 800, S.D. 1, was deferred

to the end of the calendar.

Senate Bill No. 782, S.D. 1:

By unanimous consent, S.B. No. 782, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 176, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 176, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS AND PLUMBERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1014, S.D. 1:

By unanimous consent, S.B. No. 1014, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 809, S.D. 1:

By unanimous consent, S.B. No. 809, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 1040, S.D. 1:

By unanimous consent, S.B. No. 1040, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 14:

By unanimous consent, S.B. No. 14, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 53, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 53, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRIBUTIONS BY CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 193, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 193, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF VETERINARY MEDICINE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 769, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 769, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Senate Bill No. 787, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 787, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 515, S.D. 1:

By unanimous consent, S.B. No. 515, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE UNFAIR PRACTICES AND FRAUDS," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 326, S.D. 1:

Senator Cobb moved that S.B. No. 326, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Carpenter.

Senator Fernandes Salling rose to ask if the chairman would yield to a question and Senator Cobb having replied in the affirmative, Senator Fernandes Salling asked:

"Could you explain why you inserted in here that duration of the occupancy be changed from 30 days to 63 days?"

Senator Cobb answered:

"Mr. President, because there were a number of residential units where there might be short term rentals that would then fall under the provisions of the existing statute; whereas, limiting it as it is now under the law to resort areas, it would be much less likely that you would have successive changes of residences or residential renters in the case where it was 62 days. If you had a recurring pattern like that it would obviously be of much more of a rental agreement signed with a managing agent for the purpose of transient vacation rentals."

The motion was put by the Chair and carried, and S.B. No. 326, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT VACATION RENTALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Chang).

Senate Bill No. 451, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 451, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 450, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 450, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 42, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 42, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELEVATOR MECHANICS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 666, S.D. 1:

By unanimous consent, S.B. No. 666, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 1337, S.D. 2:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 1337, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO USURY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 26, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 26, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1248:

By unanimous consent, action on S.B. No. 1248, was deferred to the end of the calendar.

Senate Bill No. 34, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 34, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPEECH PATHOLOGY AND AUDIOLOGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Ajifu, Carpenter, George, Henderson, A. Kobayashi, Solomon, Soares and Yamasaki).

Senate Bill No. 805, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 805, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE ACCIDENT REPARATIONS SYSTEM," having been read throughout, passed Third Reading on the following

showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 711, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 711, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRACTICING PSYCHOLOGISTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 767, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 767, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 707, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 707, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Ajifu).

Senate Bill No. 187, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 187, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS, ARCHITECTS AND SURVEYORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 904, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 904, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAIR DEALERSHIP PRACTICES," having been read throughout, passed Third Reading on

the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 790, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 790, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 163, S.D. 1:

By unanimous consent, S.B. No. 163, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATIENTS' COMPENSATION FUND," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 4, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, S.B. No. 4, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS AND MAKING APPROPRIATIONS THEREFOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 557 (S.B. No. 5, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 557 was adopted and S.B. No. 5, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 558 (S.B. No. 370, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 558 was adopted and S.B. No. 370, S.D. 2, entitled: "A BILL FOR AN

ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 559 (S.B. No. 949, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 559 was adopted and S.B. No. 949, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (George).

Standing Committee Report No. 560 (S.B. No. 905, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 560 was adopted and S.B. No. 905, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PRODUCT DEVELOPMENT CORPORATION ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Standing Committee Report No. 561 (S.B. No. 1061, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 561 was adopted and S.B. No. 1061, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTION OF OVERSEAS SALES OF HAWAII MANUFACTURED ELECTRONIC EQUIPMENT FROM THE GENERAL EXCISE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 562 (S.B. No. 1062, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 562 was adopted and S.B. No. 1062, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY DEVELOPMENT," having been read throughout, passed Third Reading on the following

showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 563
(S.B. No. 1085, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 563 was adopted and S.B. No. 1085, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Ajifu and Solomon).

Standing Committee Report No. 564
(S.B. No. 833, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 564 was adopted and S.B. No. 833, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JOB TRAINING PARTNERSHIP ACT OF 1982," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 565
(S.B. No. 834, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 565 was adopted and S.B. No. 834, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISLOCATED WORKERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 566
(S.B. No. 459, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Aki and carried, Stand. Com. Rep. No. 566 and S.B. No. 459, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Abercrombie, Cayetano, Carpenter, Fernandes Salling, Henderson, Kawasaki and B. Kobayashi).

Standing Committee Report No. 567

(S.B. No. 1279, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 567 was adopted and S.B. No. 1279, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Fernandes Salling).

Standing Committee Report No. 568
(S.B. No. 126, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 568 and S.B. No. 126, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO USE OF CREDIT CARDS FOR HOSPITAL CHARGES," were recommitted to the Committee on the Committee on Ways and Means.

Standing Committee Report No. 569
(S.B. No. 306, S.D. 1):

Senator Yamasaki moved that Stand. Com. Rep. No. 569 be adopted and S.B. No. 306, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Soares asked if the chairman of Ways and Means would yield to a question and Senator Yamasaki answered in the affirmative.

Senator Soares asked: "Mr. President, I'd like to ask the chairman if he could tell us what the cost of this bill will be with the Department of Health program? How much is it going to cost us?"

Senator Yamasaki answered: "Mr. President, there is no appropriation in this bill."

Senator Soares further inquired: "Mr. President, can the chairman estimate as to what the cost is going to be? Wasn't there an appropriation when the bill came to the committee from Human Resources, I guess?"

Senator Yamasaki answered: "Mr. President, I don't think there was any appropriation attached to this bill."

Senator Soares further inquired: "Mr. President, will there be a need test as to how they qualify for this assistance?"

Senator Yamasaki answered: "Mr. President, I'm not certain whether a need test will be ... whether there'll

be one or not."

Senator Soares then asked: "You're not certain? Will you get an answer for us before we vote sometime next month on this bill?"

Senator B. Kobayashi rose to answer as follows:

"Mr. President, maybe I can explain this bill because it's mine. There was no appropriation attached to this bill or the original draft. The original intention of this bill was to provide by statute a means by which currently operating programs can legally exist as has been raised in question by our Attorney General's office.

"We have had programs in numerous areas in health specified by law. These include mental health, Hansen's disease, tuberculosis, and such others. However, there is nowhere in our statutes that specifically require or allow for infant and maternal child health programs. Because of that the Attorney General has in previous years decided that the Department of Health has no specific authorization to fund maternal child health programs, and as such has delayed the passing or approving of contracts in the maternal and child health program areas.

"Now, these programs have included, among other things, infant stimulation and development programs. We have, interestingly enough, infant stimulation and development programs in two levels. We have these programs run by our own Department of Health with state employees and we have also infant stimulation and development programs run in the private sector through grants-in-aids.

"This bill intends to recognize that maternal and child health programs shall be a recognized part of the program of the Department of Health. It does no more than that; allow for, hopefully, speedy passage of appropriations which we currently have had on the books for years and clearance of [programs related to] grants-in-aid through the Attorney General's office."

Senator Soares further inquired as follows:

"Mr. President, I still want to ask the question, are you saying that the present staff and the present Department of Health personnel will

handle this program at no additional cost? Is that what you're saying?"

Senator B. Kobayashi answered: "Yes."

Senator Kawasaki then posed a question to Senator Kobayashi as follows:

"Mr. President, a question to Senator Kobayashi. Could we not have accomplished the same end by not using the mandating language, the Department 'shall,' and have instead, the Department 'may' and still address the problems you recited earlier?"

Senator B. Kobayashi replied: "Mr. President, we could have, but all 'shall' says in this area is that 'we shall have a program of at least one individual.'

"I hope we don't ever get to the situation in which we abandon completely any and all programs in child and maternal health. So, so long as the Department of Health complies by having one individual work in this program area I think the shall clause will be fulfilled."

Senator George then remarked and asked:

"Mr. President, I am still disturbed. Piggybacking on earlier discussions, if I may, Mr. President, 'Such a program shall provide for developing, extending and improving ...' and I don't see how existing personnel, Mr. President, can without augmenting the budgets for the department. I just don't see how it can be extended and improved and developed and expanded, and I wonder if either the previous speaker or the chairman can react to that language?"

Senator Yamasaki answered: "Mr. President, as I recall, on page 2 of the bill it provides for grants-in-aid in which the Department of Health may enter into agreements with various agencies."

Senator A. Kobayashi, in opposition of the measure, stated:

"Mr. President, I will be voting against this measure. It sounds like I'm against motherhood, and I do strongly believe in this program, but after sitting through all the heptachlor hearings I cannot with good conscience vote for a measure that would entrust this program to

the Department of Health."

Senator Kawasaki, although in support of the bill, stated:

"Mr. President, while I support this bill, I think I'd like to make a suggestion to the conferees on this bill, if there is a conference committee meeting on this bill between the House and the Senate, that perhaps as suggested by Senator Soares, we provide an income means test so that this program will be applicable to those families who could not financially afford to provide this type of services for their youngsters."

Senator Carpenter then rose to speak in support of the bill and stated:

"Mr. President, I rise to speak in favor of this bill.

"I think this is one of the few areas that we will have mandated the Department of Health to carry out any particular program. All of the language that exist in our present statutes basically require them to look into a number of things. We have a hundred million dollar operation annually in the Department of Health and no real requirements for all of the operating divisions within that department.

"We have some 5,000 people in the field of services supplied by the department, none of whom has a specific charge as this particular bill holds to. I hope this is first of many to come."

Senator Cobb added his comments as follows: "Mr. President, as a fellow sufferer on the heptachlor committee I just would like to say that if there's some reservations about putting it under the Department of Health, I'd like to suggest we consider the Department of Commerce and Consumer Affairs. It that's not forthcoming, maybe we should review the sunset procedures of the Department of Health. After fifteen hearings on the heptachlor committee I was less than impressed by their performance."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 569 was adopted and S.B. No. 306, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (George, Henderson, A. Kobayashi and Soares).

Standing Committee Report No. 570 (S.B. No. 423, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 570 be adopted and S.B. No. 423, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Abercrombie then rose to inquire as follows:

"Mr. President, before I vote on the bill, I would like to know exactly what this accomplishes with respect to the myriad of alcohol and drug abuse, and mental and emotional illness agencies programs, groups, etc., that already exist in the state.

"I see what the sensible purposes are of the bill, but I wonder if this does not create some kind of super agency, and, again, I suppose the question would be what is the object and what is the cost, and what in the end will be accomplished?

"It came out of Ways and Means, although the Ways and Means chairman may not be the best person to answer, other than to the cost implication. I would like to know the answer to those questions from anybody that can provide it."

Senator Yamasaki responded as follows:

"Mr. President, the various agencies such as the National Association of Social Workers, the Hawaii Mental Health Coalition, the Mental Health Association of Hawaii, and the Department of Health, Mental Health Division, have met and they have agreed upon a program to integrate mental health programs and, also, of substance abuse programs in the State of Hawaii. They are confident that by integrating these programs that they could do a better job delivering programs to the people in this state."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 570 was adopted and S.B. No. 423, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND SUBSTANCE ABUSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 571
(S.B. No. 540, S.D. 1):

Senator Yamasaki moved that Stand. Com. Rep. No. 571 be adopted and S.B. No. 540, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Soares asked if the chairman of Ways and Means would yield to a question and Senator Yamasaki answered in the affirmative.

Senator Soares asked: "Mr. President, I should apologize for this, I'm certainly not questioning the merits of the bill, but I'd like to ask the committee chairman a question. I should apologize to the chairman for signing the bill free and clear, not asking the question in committee but I'd like to ask a question here.

"The department is not now doing this, Mr. President, at all? This is a new program?"

Senator Yamasaki answered as follows:

"Mr. President, yes, it is the same for this bill also. It says, the department 'shall,' and, also, further on, it says that the department may enter into agreements. The private agencies will be contracted through agreements and deliver the services."

Senator Soares asked: "Mr. President, by DSSH? Being contracted by DSSH, is that right? Do you have any idea what the cost figure is going to be?"

Senator Yamasaki answered: "Yes, by the Department of Social Services and Housing."

Senator Soares further inquired: "Then you have no idea how much money is involved in this bill?"

Senator Yamasaki answered: "At the present, yes."

Senator Carpenter on a point of clarification stated:

"Mr. President, I would just like to point out the point that I made earlier.

"There's nothing in this program that requires them to cure people from mental health problems. It merely points out that the department shall foster and coordinate some kind of comprehensive system by utilizing public and private resources to try to reduce the incidence of problems occurring in this field.

"I think, to the question asked by the previous speaker, the limit of resources allocated for this particular sub-agency of the Department of Health has to be the means, a limit.

"Even though the language said, you shall cure mental health problems in the State of Hawaii, it can only, obviously, be done within the means allocated to the system of budgeting within our statutes."

Senator Soares further remarked and inquired as follows:

"Mr. President, I rise to a point of inquiry of the chairman on my asking questions primarily because here we've been going through the budget, making cuts all over the place, and my only concern was not the merits of the program or the reasons behind it but more so in terms of whether we are spending more dollars and is it costing more money for programs that can already be taken care of by the department? If so, how much it's going to cost us? That's all."

Senator B. Kobayashi, vice-chairman of Ways and Means, responded as follows:

"Mr. President, in this bill, S.B. 540, relating to child care, and also in the previous one, relating to maternal and child health care, what we have are ongoing programs, caring for under so-called miscellaneous clauses, that is, the Department of Health and, in this case, the Department of Social Services and Housing are providing care for children under a catchall category that has something like this ... to care for the public health and welfare of the citizens of the State of Hawaii.

"We want to make it specific and it has been pointed out to us by the Attorney General's office that that overall catchall language about caring for the general health and welfare of the citizens might not be specific enough language to provide for ongoing care, in this case, for child abuse.

"Now, the Department of Social Services has ongoing programs in child abuse, but it is sometimes questioned by our own legal advisors as to whether there is statutory authority for Social Services to have child abuse kinds of programs. And in this case, we're trying to address that question."

Senator Henderson then asked if Senator B. Kobayashi would yield to a question and the Senator having

replied in the affirmative asked:

"Mr. President, I think one of our concerns here is that when we start putting mandatory language into the statutes like 'shall' and then we don't provide the services to the public, do we expose the state to any sort of liability? Could there be a law suit where we're not able to provide the services? Can they go in to the federal court and demand that the state provide the service to that group?"

Senator B. Kobayashi replied: "Mr. President, I would say, yes, if we reduce our program in child care to absolutely zero. We do not mandate level of services or number of clients or area of coverage or type of program in this particular instance."

Senator Henderson then said: "Mr. President, it seems to me that we've had experience in the past where we've been involved in very expensive services to a large group of people in regard to health care. I wonder if we're not exposing ourselves, by the particular language in these bills, to further expenditures."

"I'm not an attorney, Senator Cayetano, but I read the papers and it seems to me that that could be a possibility that might come out of these bills."

Senator Cayetano responded as follows:

"Mr. President, I voted for these bills and I'd like to answer Senator Henderson's question."

"Mr. President, I think he's absolutely right. By mandating these services we have opened or exposed the state to liability."

"I disagree with Senator Kobayashi. I don't think we have to reach level zero to be sued. But, very frankly, watching all of the bills that we've passed tonight, I don't think it's too bad that we provide in our laws that people with problems regarding child care, maternal care, and all of that, get a few things from the state. After all, we gave a helluva lot away to industry."

"I think it's a good idea and I think it's the Democratic Party's choice to mandate these necessary services to our people."

Senator Soares then retorted: "Mr.

President, I take exception to the previous speaker's comments about Democratic choice. I think these questions were very sincerely asked of the chairman."

Senator Cayetano interjected: "Mr. President, I said party, Democratic Party."

Senator Soares continued: "Mr. President, the Republican Party has five guys over here and I've got four more potential guys to join this group. I've seen nine votes pretty much around today."

"Seriously, Mr. President, I think the whole intent of our questioning was not trying to put anyone on the spot or try to look as though we are nitpicking at costs, but, essentially, to take a look at some things that appear not to have numbers on that may or will have some later on. We wanted to check that out."

Senator Solomon, in support of the measure, stated:

"Mr. President, I would just like to reiterate what Senator B. Kobayashi informed my fellow Senators."

"The department currently provides these kinds of child care services for these children as well as for children who are in need of this care who come from homes where child abuse or neglect has occurred. Funds, however, for child care services for the developmentally delayed are not protected because the department statutes do not state that they must provide these services. To allow the department flexibility with this new amendment to their statute, the Human Resources Committee added the amendment that these child health care services for developmentally delayed children only be provided 'when deemed necessary by the department.'

"The bill is important because it clarifies and strengthens the department's mandate concerning child care. Thank you."

Senator Yamasaki, on a point of clarification, stated:

"Mr. President, just to clarify the word 'mandate' because in those three bills the section of the bills merely says that 'The department of health shall administer...' The other one says, 'The department of health shall foster and coordinate ...'; and the third bill says, 'The department of social services and housing shall

administer, establish programs and standards ...'

"It's not the kind of mandate that members seem to indicate that they are afraid of."

Senator Cobb, although in support of the measure, stated:

"Mr. President, taking a leaf from the newspapers, the vice president of the Senate's favorite subject, I would just like to go on record that if there should be a class action suit based on a lack of services stemming from anyone of these three bills then I think the time will come to repeal the law, but then it would truly be a mandate with unlimited dollar implications. Short of that, and if it's confined to the level of services presently being provided by the Department of Health, I'll support the measure with reservations."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 571 was adopted and S.B. No. 540, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 572 (S.B. No. 821, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 572 was adopted and S.B. No. 821, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH GERONTOLOGY UNIT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 573 (S.B. No. 824, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 573 be adopted and S.B. No. 824, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Kawasaki, although in support of the bill, stated:

"Mr. President, this bill points out perhaps very dramatically, the inconsistencies of our statutes here and the bill providing for services to these disadvantaged people.

"This bill's language is permissive. It says, 'The department of health may...'

"I think this is the kind of language that perhaps would help avoid legal entanglements that the Republican Senators are concerned about. And I share their concern.

"I think perhaps it behooves us, in conference committee, to perhaps change the language to 'may' rather than the mandated 'shall.'

"And, again, with this bill along with the others providing human services to the disadvantaged group of citizens in our community, we should provide an income means test that only those people who are truly in need, in terms of services they need and in terms of their financial capabilities to provide for their own needs, that this kind of standard be established and then we have some reasonable assurance that monies would not be squandered on claims for state aid by people financially qualified to provide their own help ... these kinds of claims would not be attended to."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 573 was adopted and S.B. No. 824, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 574 (S.B. No. 826, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 574 was adopted and S.B. No. 826, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING A SUPPLEMENTARY APPROPRIATION TO FINANCE MEDICARE AND MEDICAID REIMBURSEMENTS LOST AS A RESULT OF THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982 (TEFRA '82)," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki)..

Standing Committee Report No. 575 (S.B. No. 994, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi

and carried, Stand. Com. Rep. No. 575 was adopted and S.B. No. 994, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOLOKAI GENERAL HOSPITAL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 576 (S.B. No. 119, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 576 be adopted and S.B. No. 119, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Cayetano, in support of the measure, stated:

"Mr. President, I'm going to vote for this bill but I wonder if what we have done in this bill really accomplishes the purpose for which this program is slated.

"We have increased the limits for loans to lessees from \$50,000 to \$60,000. Frankly, I don't know what you can build today for \$60,000 and it seems to me that that limit is much too low and maybe when this bill gets to the House, we should consider increasing it."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 576 was adopted and S.B. No. 119, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 577 (S.B. No. 608, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 577 was adopted and S.B. No. 608, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 578 (S.B. No. 704, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 578 and S.B. No. 704, S.D.

1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 579 (S.B. No. 965, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 579 was adopted and S.B. No. 965, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 580 (S.B. No. 966, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 580 was adopted and S.B. No. 966, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 581 (S.B. No. 1027, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 581 was adopted and S.B. No. 1027, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LOANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 582 (S.B. No. 368, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 582 was adopted and S.B. No. 368, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 5. Noes, none.

Standing Committee Report No. 583 (S.B. No. 402, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi

and carried, Stand. Com. Rep. No. 583 was adopted and S.B. No. 402, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 584 (S.B. No. 1048, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 584 was adopted and S.B. No. 1048, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AFTER-SCHOOL PROGRAMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 585 (S.B. No. 1049, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 585 was adopted and S.B. No. 1049, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF THE BOARD OF EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Ajifu).

Standing Committee Report No. 586 (S.B. No. 1089, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 586 be adopted and S.B. No. 1089, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Abercrombie spoke in support of the measure as follows:

"Mr. President, I just wanted to make a brief statement with respect to this bill.

"With its passage, we will be achieving the first step towards providing an opportunity for our aquarium to be of world class variety. I think that if we continue to take advantage of what this bill will provide, the benefits to our people, the benefits to the tourism industry, the benefits for us in terms of research, in terms of what will be available to us on an educational basis

will be manifest to the greatest degree."

Senator Henderson also spoke in support of the measure and stated:

"Mr. President, I'd like to speak in favor of this bill.

"This particular project is long overdue and I think it's through the good efforts of Senator Abercrombie and some of the others of the Senators here that we got this thing off the ground, and I'd like to see it passed and moved along rapidly. Thank you."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 586 was adopted and S.B. No. 1089, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AQUARIUM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 587 (S.B. No. 1122, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 587 was adopted and S.B. No. 1122, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 588 (S.B. No. 900, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 588 and S.B. No. 900, S.D. 2, was deferred to the end of the calendar.

Senate Bill No. 937, S.D. 1:

By unanimous consent, action on S.B. No. 937, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 590 (S.B. No. 555, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 590 was adopted and S.B. No. 555, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SERVICE FEES," having been read throughout, passed Third Reading on the following

showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 591
(S.B. No. 472, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 591 was adopted and S.B. No. 472, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 592
(S.B. No. 1192, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 592 and S.B. No. 1192, S.D. 2, was deferred the end of the calendar.

Standing Committee Report No. 593
(S.B. No. 20, S.D. 1):

Senator Yamasaki moved that Stand. Com. Rep. No. 593 be adopted and S.B. No. 20, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator B. Kobayashi spoke in support of the bill as follows:

"Mr. President, a short comment in favor of the bill.

"The bill was amended to delete the word 'original' in terms of requiring the Department of Accounting and General Services to have 'original' invoices in order to make payment.

"What has happened is that the department has been such a stickler in requiring so-called original invoices that if you send them an invoice that is an original that says 'remittance copy' or that says 'accounting copy' as some organizations throughout the country do, the Department of Accounting and General Services exercises infallible logic and says that even though this may be an original invoice, because the top copy says 'remittance copy' or accounting copy' it must hence be a copy, not an original, and they send the invoice back to the Mainland from which it came from, and, hence, delay payment.

"So, I think that we should pass the bill and relieve the Department of Accounting General services of that

burden."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 593 was adopted and S.B. No. 20, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT FOR GOODS AND SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 594
(S.B. No. 607, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 594 was adopted and S.B. No. 607, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 595
(S.B. No. 1200, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 595 was adopted and S.B. No. 1200, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GUARANTIES BY COUNTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1251, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, S.B. No. 1251, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 597
(S.B. No. 1177, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 597 was adopted and S.B. No. 1177, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS BY COUNTIES TO FINANCE

MANUFACTURING ENTERPRISES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Standing Committee Report No. 598 (S.B. No. 755, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 598 and S.B. No. 755, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR CONSTRUCTION OF AN ETHANOL PLANT," was recommitted to the Committee on Ways and Means.

Standing Committee Report No. 599 (S.B. No. 827, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 599 and S.B. No. 827, S.D. 2, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR QUEEN'S MEDICAL CENTER, OAHU," was recommitted to the Committee on Ways and Means.

Standing Committee Report No. 600 (S.B. No. 1178, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 600 was adopted and S.B. No. 1178, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS BY COUNTIES TO FINANCE INDUSTRIAL ENTERPRISES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Standing Committee Report No. 601 (S.B. No. 857, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 601 and S.B. No. 857, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 602 (S.B. No. 995, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 602 and S.B. No. 995, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 603 (S.B. No. 1245, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 603 and S.B. No. 1245, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 604 (S.B. No. 799, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 604 was adopted and S.B. No. 799, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 198, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, S.B. No. 198, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 129, S.D. 1:

Senator Yamasaki moved that S.B. No. 129, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Abercrombie, in support of the measure, stated:

"Mr. President, I believe that this bill has been amended and now reflects the addition of at least one resident from each of the counties, including the County of Kalawao.

"For the purposes of the record, I would like to indicate for those who might not know, Kalawao County is where Kalaupapa is. I think that we are taking a step forward today in the passage of this bill in recognizing for the first time since the kingdom, the territory, and the state came into existence that the patients at Kalaupapa in the County of Kalawao, who are now administered by the Department of Health, shall have a say as to what the Board of Health will be doing by virtue of being on

the advisory board.

"This is something that is long overdue, to say the very least, and I think perhaps we might see a flagging out of some of the problems with respect to Kalaupapa come forward a great deal sooner than they would otherwise.

"I think that this is a real opportunity for the state to recognize the contribution that the patients at Kalaupapa can make on the Board of Health, not only with respect to the settlement itself on Molokai, but by utilizing their insight for problems with respect to the Department of Health, statewide."

The motion was put by the Chair and carried, S.B. No. 129, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 10:04 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:15 o'clock p.m.

MATTERS DEFERRED
TO THE END OF THE CALENDAR

THIRD READING

Senate Bill No. 1093, S.D. 1:

Senator Carpenter moved that S.B. No. 1093, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator George spoke against the bill as follows:

"Mr. President, I'm going to vote against this particular measure.

"In the first place, I feel that it would provide for the balkanization of the political process. I don't know who we might find on the ballot in an even-numbered year were this to be passed.

"The problem is the qualification. It would provide that after three successive elections of a political party which qualified to be on the ballot, it would then automatically be on the ballot for the next ten years. This sounds okay, but the qualification consists only of securing some 4,000 signatures in order to get

the name of the party on the ballot.

"It would not be necessary, in any one of these three election years, for that party to field candidates. In other words, for three different elections, not one vote need to be cast for any of these parties. They would then qualify given the petition process and be automatically on the ballot for ten years.

"I'm not sure we need this proliferation of the political process. Thank you."

Senator Abercrombie spoke in support of the measure and stated:

"Mr. President, just very briefly, speaking in favor of the bill.

"Proliferation, I think was the word utilized with respect to the ballot. I think it might be good for the body politic. Revitalization of party activity both by the Democrats and the Republicans, I think, is probably in order.

"The party process across the county is constantly, these days, being pronounced morbid. Both parties appear to have difficulties in getting the bulk of the people of the country to identify with them. I think a challenge is good for whetting the political appetite in terms of cleaning up one's own act as in one's own party.

"And, in listening to some of the concerns that might arise out of the third party or fourth party, I might say just in addition, Mr. President, if another party is able to arise and succeed for three separate elections in getting on the ballot, the people involved must really be serious.

"We've seen parties come and go in a given election, but to come three times in a row and succeed means that they are in all likelihood fielding candidates. They may not be electing people right away, but they are articulating a point of view, a point of view which the major parties, I think, could well pay attention to. I don't think you'll see the rise of these parties if the major parties are doing their job. If they're not it's the kind of thing that the major parties need to give them a step in the direction that's necessary to respond to the events of the day.

"Thank you."

The motion was put by the Chair and carried, and S.B. No. 1093,

S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLITICAL PARTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Cobb, George, Henderson, A. Kobayashi, B. Kobayashi, Kuroda and Soares).

Senate Bill No. 313, S.D. 1:

Senator Carpenter moved that S.B. No. 313, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

Senator George rose to speak against the bill as follows:

"Mr. President, I seem to be specializing in campaign contributions and election laws tonight. I rise to speak against this particular bill. Frankly, I think it's a terrible bill.

"The overt purpose would purport to be a good one; that is, it would make current campaign spending limits mandatory for all candidates. And, on a once-over-lightly basis this sounds good to a lot of people.

"What disturbs me about this is that we don't all start even. I think those of us who sit in this hall recognize that we start out with a big advantage.

"By making the campaign spending limit the same for everybody what we're doing is firming that advantage up for ourselves and insisting the challengers start off back there some place else. We have the name familiarity. We have that measurable advantage over candidates who are not incumbents.

"One of the things that bothers me about this is that it flies in the face of Buckley v. Valeo. It's a Supreme Court decision with which all of us should be intimately familiar.

"The Supreme Court has said you can't do it, in effect. We can try it. I think it will be challenged. It will be expensive. It will go to court because it simply flies in the face of every word that's been written in commentary as well as in the original Buckley v. Valeo decision.

"Once again, it casts a veil of secrecy over the process by tearing down the reporting requirements that we presently have. I think it's the public's interest to know who gives, who gets, and what it's spent for.

And if we cut down on the number of reports there's not going to be any way of policing this thing.

"There are no real sanctions in it. The only sanction is publication of names in the newspaper, on the theory, I think, that the public will punish those who do not conform.

"If there's no reporting, how's the public supposed to find out who's conforming and who is not? This makes the pot of money that is built up by campaign check-off ... I don't think this pot is ever a very generous one. At the moment, it's probably pretty well at zero level, and if we put this into effect there'll be a very small amount of money to divide among a great many candidates, all of whom will be eligible for it.

"I think that's probably as long a catalog of objections as I care to get into this evening. I do urge my colleagues to vote against it. Thank you, Mr. President."

Senator Carpenter, in support of the measure, stated:

"Mr. President, in 1980 when I took office as a state Senator, I swore to uphold the Constitution of the State of Hawaii. I think a number of my colleagues did the same in 1982, this past year, and on opening day some of my other colleagues, the other half of this body, swore to uphold that same Constitution.

"Mr. President, in Section 5 of Article II, under Suffrage and Elections, it reads: 'The legislature shall establish a campaign fund to be used for partial public financing of campaigns for public offices of the state and its political subdivisions as provided by law' and we have done that. 'The legislature shall provide a limit on the campaign spending of candidates' and we have done that. That was an enactment of 1978 Constitutional Convention.

"Mr. President, I think that notwithstanding Buckley v. Valeo, which is a case certainly we're familiar with, the 1978 Constitutional Convention saw fit to add this provision into Article V, and I think as good citizens of the state and with good intentions to reinstate that which existed prior to Buckley v. Valeo, which certainly would allow many more candidates to offer themselves for public office an opportunity to do so, I think, is in the best interest of the people of the

State of Hawaii. Thank you."

Senator Cobb, in opposition of the measure, stated: "Mr. President, having heard the language, I don't believe that it says mandatory. It just says 'establish campaign spending limits'; but it could be either mandatory or voluntary as they are today."

Senator Abercrombie, in support of the measure, stated:

"Mr. President, speaking in favor of the bill, just for the record, with respect to incumbency.

"I understand that, but there are at least four Senators in this hall now, Senator Machida, Senator Mizuguchi, Senator Cayetano, and myself, who were elected in 1974, which was the election in which there were, in fact, campaign spending limits. We may be anachronisms in more than one way, I don't know, but we certainly were a part of history in this state and in this country because we came in at that time.

"And I know that I would not have been elected to office, this may be an argument I see parenthetically against having campaign spending limits, but there's no question in my mind that the campaign spending limitation contributed to the fact that I was able to win, not because I was an incumbent but because the incumbent took the race a little more lightly than it should have. I think the electioneering was done elsewhere than in the district, and with the campaign spending limit, it was not easy for me to raise the necessary funds and I expect it wasn't as easy for the other candidates who are Senators now here, as well.

"Nonetheless, it was within our grasp. We were able to do it with hard work. So, I think to a degree the incumbency factor is true, but I think with a campaign spending limit that incumbency factor is just as likely to decline in terms of its advantage, as opposed to increasing the opportunity for the incumbent."

The motion was put by the Chair and carried, S.B. No. 313, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS AND EXPENDITURES," having been read throughout, passed Third Reading on the following showing of Ayes and

Ayes, 18. Noes, 7 (Chang, Cobb, George, Henderson, A. Kobayashi, Kuroda and Soares).

Senate Bill No. 1140:

Senator Carpenter moved that S.B. No. 1140, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Carpenter, chairman of the Judiciary Committee, informed the body of the following omission in the bill:

"Mr. President, I would just like to inform the body that Senate Bill No. 1140, as it should have emerged from the printshop should have had a line which would have read at the very bottom of page 1, at approximately 16, the words: 'person who is not arraigned within five days after indictment.'

"Mr. President, the committee report submitted by the Judiciary Committee to the printshop had these words when it was submitted to the Clerk and, inadvertently, there appears to be an omission.

"I want to inform the members of the body that I have copies here of the language that ought to be inserted, the bill as sent forward in its original form.

"I hope that you will indulge that this bill is not defective because of this inadvertent mistake."

The Chair announced that the "Journal will so note."

Senator Cayetano spoke against the measure as follows:

"Mr. President, I rise to speak against this bill.

"There are some portions of the bill which I think are good, but the part that I oppose is the provision that empowers the court to ask questions or to conduct the voir dire of prospective jurors.

"Voir dire, Mr. President, is the questioning of jurors to find out whether the jurors have any bias, conflicts of interest, whether they can serve as jurors in a criminal case and make fair and unbiased judgments.

"In the federal courts the judges are allowed to accept questions from

the attorneys, both the attorney for the state and the attorney for the defendant. And the judge, at his discretion, will decide what questions to ask the particular juror.

"My own impression, having tried cases both in federal and state courts, is that this is not a good procedure for the defendant. The defendant and his lawyer have a particular interest in seeing that the jurors who are selected are fair. Because of this interest, they put more time to developing the kinds of questions that the defense lawyer will be asking the juror.

"To turn this over to the judge, as it is done in federal court, it may in fact speed up the proceedings; however, I doubt very much whether it would do anything to enhance the defendant's right to a fair and impartial trial."

Senator Fernandes Salling also rose to speak against the bill as follows:

"Mr. President, I also rise to speak in opposition to this bill.

"I ask that the Senators really give this a lot of thought. This is making a drastic change to our system of justice here.

"The voir dire process has been a very critical process in a trial. To establish that relationship between the attorney and the jurors can affect the outcome of the verdict for one's client.

"Please give it your consideration. This is a very serious matter. Thank you."

Senator Carpenter spoke for the measure and stated:

"Mr. President, I rise to speak for this measure.

"I want to point out to the members of this body that I sent a communication to the chief judge of the federal court, Sam King, who responded that ... in part he concurred with the previous speaker, Senator Cayetano, in that perhaps the requirement for the present allowance in federal court for the judge to conduct the voir dire may not in all cases be in the best interest of the court, depending on the personalities involved, and he spoke to the personalities of particular judges.

"However, I believe, in the Hawaii Rules of Evidence there is a passage,

I'm not exactly sure what the language or the number is, but it certainly allows the judge to exercise a great deal of discretion in terms of determining who should conduct the voir dire and, in fact, allows the judge to presently, '...as meets the needs of justice' to conduct the voir dire if he deems it necessary to do so in the conduct of the court's business.

"So, this is already within the Rules of Evidence of the State of Hawaii and allowance of the court. Thank you."

Senator Cayetano, in response, stated:

"Mr. President, I agree with the previous speaker but it is not practiced in our courts because our judges, I think, are of the common mind that it is best to leave the questioning of these jurors to the attorneys for the state, the attorneys for the defense. Questions that we ask jurors are made only after much homework and thought.

"I submit that if we are required to submit a written list of questions to the judge, and this has been my experience in the past, often he will disagree as to whether a certain question should be asked and not to ask the question. I suppose we could pursue those things on appeal but it is very unlikely that given the wide discretion the federal judges are given in federal courts that one would be successful.

"The comment by the chairman of the Judiciary Committee that this is already provided, I think, is the best argument against passing this particular bill. The court can do it now; our courts have chosen not to do it, except in circumstances which are special or maybe because of personalities, then the court will step in. There is no need to pass a law to mandate that this be done."

Senator Carpenter answered as follows:

"Mr. President, a brief response.

"The bill goes to more, obviously, than to merely the conducting of the voir dire of jurors. It goes to quite a number of points which address each facet of speeding up trials within the court system. That is the basic intent of the bill and the parameters set forth, not only pertaining to the Judiciary, but other agencies of the criminal justice system

as well."

The motion was put by the Chair and carried, and S.B. No. 1140, entitled: "A BILL FOR AN ACT RELATING TO THE CRIMINAL JUSTICE SYSTEM IMPROVEMENT ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Abercrombie, Cayetano, Fernandes Salling and Uwaine).

Senate Bill No. 569, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 569, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY AND FITNESS TO PROCEED," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 473 (S.B. No. 1100, S.D. 1):

Senator Carpenter moved that Stand. Com. Rep. No. 473 be adopted and S.B. No. 1100, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

Senator George asked if the chairman of the Judiciary Committee would yield to a question and Senator Carpenter having replied in the affirmative, Senator George asked:

"Mr. President, during our considerable discussion of this matter in the Judiciary Committee, toward the very end of taking it around the table, the question was asked of the health department as to our preemption in this area by the federal government, more specifically, the Food and Drug Act.

"My understanding of the response made is that we are indeed preempted and would not be able to make medical use of marijuana except under federal regulations as we are presently doing. I wonder if the chairman's understanding of the response of the health department was pretty much as I have stated it?"

At 10:35 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:37 o'clock p.m.

At this time, Senator Carpenter responded as follows:

"Mr. President, in response to the question previously put, Senator Abercrombie was in much closer contact with Mr. Estavillio of the Food and Drug Administration, Enforcement Section, who in fact addressed that question.

"The federal government allows the State of Hawaii or any state that adopts a statute to use the protocol set up within the federal guidelines so that the question you put allows the State of Hawaii to do it rather than to preempt, in this case."

Senator George then commented as follows:

"Mr. President, if I may, the state is already participating under federal protocol so that six pharmacies in the state are permitted to dispense what the federal Food and Drug people have allowed, which is one of the ingredients, one of the cannabis ingredients in marijuana, and that is the extent to which we will be allowed to participate until the drug is, indeed, cleared by Food and Drug."

Senator Carpenter responded as follows:

"Mr. President, that is so, except that in this particular case, this bill speaks to the manufacture, locally, and the making available for certain medicinal purposes. That is slightly different than the individuals who presently, in the pharmacies area, are allowed to use the federal protocols under state guidelines."

Senator George further remarked: "Mr. President, if I may, I think the preemption to which I referred and about which I asked was going beyond what we're doing now. My understanding is that we are preempted from doing anything beyond what we are presently allowed to do under federal protocol."

Senator Cayetano explained as follows: "Mr. President, this bill calls for activity which is purely intrastate. I don't see how the federal government can preempt us from doing anything. The marijuana we are talking about is confiscated here and provided by our local police departments. We are doing it here,

the federal government has no jurisdiction."

Senator George answered: "Mr. President, I don't concur with the previous speaker. I'm going to vote against the bill. Thank you very much."

Senator Abercrombie then spoke in support of the measure as follows:

"Mr. President, I speak in favor of this bill.

"Mr. President, in particular, I wanted to thank Senator Cayetano for his suggestion at the hearing. The suggestion being, to utilize the confiscated marijuana. For once, we might be able to see this 'Green Harvest' kind of operation come to a useful end instead of just having it all smoked by an incinerator, that which makes it to the incinerator. So, that cuts through the logjam of difficulties that are involved here.

"Senator George is quite correct that there are very strict federal guidelines, I guess the common word is protocols that are associated with research, with respect to marijuana, and rightly so. Research with any kind of drug is something that puts people at risk and it's important that this kind of thing be done.

"The difference here is, and this I think by the way, again parenthetically, Mr. President, is the value of a public hearing. It's too bad that sometimes we don't broadcast a few more of these things, that the technology isn't available or the interest isn't there for it because this public hearing did what public hearings are supposed to do in a democracy. It got people together who had differing points of view, who weren't quite sure where they wanted to go, who wanted to see something accomplished, who had good hearts to understand what this is. What's involved here is to relieve pain and suffering and that's the bottom line of this bill, to relieve pain and suffering.

"And we figured out in a public forum how we might be able to do it, and we worked with the police department, we worked with the Department of Health, and the language was worked out with the Department of Health.

"What's important here to understand is, unless we pass a bill like this, to be able to utilize marijuana for medicinal purposes with

respect to, especially, terminal cancer and glaucoma, unless we pass this bill, we will be restricted to such research as is taking place under federal law. We will be opening up, on the state level, the far greater capacity to be able to utilize this drug which certainly in some instances can be harmful, but in the instances with which it is addressed in this bill, is going to be beneficial, that is to say, will bring relief to people who are suffering and people whose illnesses can respond favorably with the utilization of the drug.

"What we have here in this bill is a combination of circumstances that takes an idea that is going to be difficult to work out in actuality, that is to say, once you get to the language, very difficult to work out because of legalities involved and because people of goodwill got together and worked hard to try to accomplish the bottom line, end the relief of pain and suffering, and were able to succeed.

"I hope we pass this bill with a good majority tonight and carry forward with this in the other House so that we can bring relief to even one person, who might otherwise be wracked with pain that he or she might not otherwise suffer. Thank you."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 473 was adopted and S.B. No. 1100, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Ajifu, George, Solomon, Soares and Uwaine).

Senate Bill No. 58:

Senator Carpenter moved that S.B. No. 58, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Carpenter rose to speak in support of the bill and stated:

"Mr. President, I rise to speak in favor of this measure.

"Mr. President, the United States Supreme Court has held that the death penalty does not constitute cruel and unusual punishment in all cases, but rather, the constitution will be complied with so long as these types of statutes assure that the sentencing authority is given

adequate guidance as to when the death penalty will be imposed.

"Mr. President, this does not conflict with any of the death penalty cases decided by the Supreme Court in recent years for the following reasons:

"First, this bill provides for a non-mandatory death penalty;

"Second, the death penalty will be imposed for carefully defined categories of murder;

"Third, the sentencing authority is given limited and carefully controlled discretion in determining the imposition of that death penalty; and

"Fourth, the bill requires consideration of mitigating factors in the defendants favor. Not just consideration, but requires consideration of mitigating factors.

"Mr. President, the basic tenet in the American system of justice is that the punishment should fit the crime.

"Since the founding of this country, its citizens have tried to project and perfect a system under which the inhabitants of this great land can live free from fear and in harmony with each other.

"Unfortunately, we have, here in Hawaii, been witness to an alarming number of murders and other types of violent crime.

"The crime of murder, which results in the elimination of a human life forever from this earth, is a particularly heinous offense.

"To assure that certain types of individuals who commit murder receive the punishment that the crime deserves and to provide a deterrent to individuals who would contemplate the commission of such a heinous crime, your Committee on Judiciary has passed out Senate Bill 58 and recommends passage by this body.

"Some of you may ask, 'Is the death penalty really a deterrent?' Let me cite a few case histories:

"Margaret Elizabeth Daly of San Pedro who was arrested on August 28, 1961 for assaulting Pete Gibbons with a knife. She stated to investigating officers, 'Yeah, I cut him and I should have killed him, but I didn't want to go to the gas chamber.'

"Louis Joseph Turck, alias Glenn Hooper, alias Joe Moreno, an ex-convict with a felony record dating from 1941, was arrested on May 20, 1961, for robbery. His modus operandi was that he had used guns in prior robberies in other states but simulated a gun in the robbery here. He told investigating officers that he was aware of the California death penalty although he had been in this state for only one month, and he said, when asked why he had only simulated a gun, 'I knew that if I used a real gun and that if I shot someone in a robbery, I might get the death penalty and go to the gas chamber.'

"Salvador A. Estrada, a 19-year old youth with a four-year criminal record, was arrested February 2, 1960, just after he had stolen an automobile from a parking lot by wiring around the ignition switch. As he was being booked at the station, he stated to the arresting officers: 'I want to ask you one question. Do you think they will repeal the capital punishment law? Because if they do, we can kill all you cops and judges without worrying about it.'

"Mr. President, this bill provides for the reinstatement of the death penalty as a possible sentence for first degree or premeditated murder and for the establishment of a procedure to determine whether such a penalty should in fact be imposed.

"This court would conduct a separate sentencing procedure, after a finding of guilt, for the crime of murder, to determine whether certain aggravating or mitigating circumstances, which are enumerated in this bill existed at the time of the commission of the murder.

"After hearing all the evidence, the jury would deliberate and then render an advisory sentence to the court. The court would then impose a sentence on the defendant.

"Mr. President, your Committee on Judiciary has concluded that in murders where the sufficiency and extent of the aggravating circumstances do exist, a sentence less than death would depreciate from the seriousness of the offense, and would not serve as adequate punishment in our system of justice.

"Mr. President, I recognize this issue is deserving of the most serious consideration of this honorable body

-- it is a tough decision, but it is a responsibility and it goes to each of us in service to the people of Hawaii. Mr. President and members of the Senate, the decision is yours."

Senator Kawasaki, also in support of the bill, stated as follows:

"Mr. President, for the third time in my sixteen years of serving in this honorable body, I rise to speak in favor of passage of the death penalty statute.

"Mr. President, if this Senate is serious about reducing violence and premeditated murders from our society, we must have the courage to enact legislation that will effectively help in that endeavor. If studies and statistics show that the certainty of severe punishment will help to deter violent crimes, then we must effectuate measures that will assure the certainty of severe punishment for the perpetration of violent crimes such as premeditated killings.

"Studies show that the more permissive a state, the higher the crime rate. Today's soaring crime rate is in part, the price our society is paying for a decade of permissiveness, in catching, convicting and imprisoning criminals.

Empirical studies show that punishment, as well as increased economic opportunities, can deter crime. And, recent findings conclude that the death penalty does indeed deter murders.

"In the year 1968, Gary Becker of the University of Chicago, in an article called 'Crime and Punishment: An Economic Approach,' demonstrated with stunning theoretical precision, that criminal behavior could be incorporated into a theory of economic choice. Becker, in effect, argued against the sociological view that the criminal was, '...irrational, sick, or a robot-like creature produced by an unjust environment.' He maintained rather, that most criminals are, '...-decision-makers who arrive at their choice of crime by weighing the costs and benefits of crime against the costs and benefits of legitimate activities.'

"Thus, it followed, according to Becker, that '...either increasing the likelihood of punishment, or raising of legitimate opportunities would reduce crime.'

"Says Gordon Tullock of Virginia Polytechnic Institute, who, in the late

1969's, had been doing work along the same lines as Becker: 'There is no question any longer that economists in the U.S., Canada, and England have shown conclusively that punishment does cut down on crime.'

"Isaac Ehrlich of the University of Chicago is the key economist in the empirical investigation of crime. He demonstrates, after statistically adjusting for other factors, that states with better police protection, higher certainty of conviction and imprisonment, and longer prison sentences have lower crime rates than more permissive states. And he finds that this holds true for crimes like murder and rape as well as for economically motivated crimes like robbery. Says Ehrlich: '...the evidence is strong that fewer rapes occur where the chance of punishment is higher.'

"Sheldon Danziger of the University of Wisconsin's Institute for Research on Poverty cautions that the data are poor. The crime data that most economists work with comes from the Federal Bureau of Investigation and cover only reported crimes. But data from the Census Bureau, based on personal interviews, show that for certain crimes, such as rape and assault, the actual number may exceed the reported figures by 500%. 'I have no doubt that punishment does discourage crime,' he says.

"Economists view the problem of rehabilitating the criminal differently than most social scientists do. Even liberal economists say that money spent to rehabilitate offenders by making them less 'criminal-like' is money down the drain. They point to the findings of Robert Martinson, a sociologist at the City University of New York, who in a very exhaustive study of prison reform, concludes that, 'rehabilitation does not work.'

"Says Duke University economist Philip J. Cook: 'We simply don't know how to change personality.'

"According to Virginia Polytechnic Institute's Gordon Tullock, '...a dramatic effect on crime will result only from increasing the punishment deterrent.'

"Does the death penalty deter murder? The results of a study done by Ehrlich appeared in the June 1975 issue of the 'American Economic Review.' Examining national data for the years 1933 - 1969, he finds the increased likelihood of being executed has a great impact in preventing

murders, and I think later on, my colleague Senator Cobb will articulate some findings that he has come across regarding the local situation."

"Gary Thatcher, staff writer of the 'Christian Science Monitor' says, 'To cut down crime rates, concentrate more on swift and certain punishment and less on underlying causes.' I'm sure this statement alarms some of you. That seems to be the view, however, of a growing number of criminal law specialists in the United States today.

"Mr. President, as I said before, society's first and foremost responsibility, is to protect its citizens and consonant with this view, like President Ronald Reagan, former Presidents Carter and Ford, and the former Attorney General of the United States, and many others in and out of the Congress of the United States, and many others here in the Legislature, including members of the Hawaii Senate, I have been a strong proponent of the idea that the reenactment of capital punishment has, unfortunately, become absolutely necessary.

"Thirty-seven out of fifty states in the union have, at last count, reestablished the death penalty since 1968 and after experiencing much of the same kind of agony, soul searching, and debate as we did in the Hawaii Senate when we passed the death penalty bill, twice before.

"Of the top four states elected as the outstanding states among the fifty in the union, by a citizens' panel evaluating the quality of their legislatures, all of the four states have reenacted the death penalty. These are California, New York, Florida, and Illinois.

"It is only because we want to save human lives, innocent human lives, of the victims of the armed robber, or the rapist who mercilessly kills his victim, to to remove evidence, because we want to save the lives of the victims of contract killers, the policemen, the murder trial judges, the lives of witnesses, and the people who serve the public in penal institutions, the victim of an offender felon, who has been convicted many times and released to society to repeat his crime ... it is an effort to save these valuable human lives that we have introduced, since 1973, the death penalty bill.

"SB 58, as we have before us, as Senator Carpenter has said, was

patterned after Florida's statute, and has met all constitutional tests. I contains very carefully conceived safeguards against the possible execution of an innocent person. Proponents of the bill feel that the death penalty law does indeed serve as a deterrent to some premeditating murderers, such as contract killers, their employers, murderers of judges, witnesses to criminal trials, and offenders who might kill a person during the process of a felonious act such as armed robbery, rape and arson. These categories of offenders will be subject to the death penalty if, and only if, mitigating circumstances enumerated in SB 58 do not apply.

"Mr. President, between the years 1935 and 1955, when a number of states had death penalty laws, the number of homicides and murders decreased markedly, at a period when the population of the U.S. was rapidly increasing dramatically. Since 2955, when death penalty laws were being repealed, and through 1968, when all such laws were removed, the rate of murders and homicides increased greatly. Today, the rate of homicides in the U.S. is about 32,000 cases annually.

"If we can save even a few innocent potential victims from premeditated murders, it is worth enacting a death penalty law. Law enforcement officers and guards at the prison have voluntarily approached me in these years, pleading that we enact the law to make their daily working conditions safer and easier.

"I'd like to ask a question of the people who now say they want to save murderers' lives. Where were they when we introduced resolutions, and when the Hawaii Senate held hearings on resolutions asking Congress and the U.S. Government to pull out of involvement in congressionally undeclared wars such as Vietnam, Cambodia and Laos, and not support corrupt dictatorships in order that we might save thousands of young, innocent American lives, some of the 54,000 American lives we lost in Vietnam? These people were not around these halls.

"These opponents of capital punishment for professional killers and destroyers of innocent victim lives were not around to express their horror over the needless loss of lives of Americans in those senseless excursions overseas!

"As for the subject of deterrence,

the execution of a confirmed murderer will not just deter, it will guarantee that he will not repeat his crime.

"It disturbs me greatly to read statistics quoted last year by the prosecutor to the effect that there is a murder-homicide committed in this state every five days, and that there is a violent crime committed every three hours in Hawaii.

"In a public poll conducted last year among 250,000 college students in 540 colleges, 65 percent of the respondents favored the death penalty.

"If execution is a deterrent, refusing to execute killers in a special situation amounts to refusing to prevent the deaths of innocent persons, and this is, in the judgment of thirty-seven states, clearly immoral.

"Finally, Mr. President, let me recite the names of the states that found it absolutely necessary to reenact the death penalty in order to save innocent lives of unfortunate victims of violent crimes. The names of the states are as follows:

"Alabama, Arizona, Arkansas, California, Colorado, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington and Wyoming."

"Mr. President, I submit it is time for Hawaii to enact the death penalty statute so we can save innocent human lives."

Senator Kuroda, also in support of the measure, stated:

"Mr. President, I also rise to speak in support of this measure.

"In the two times that this body has voted on the proposal to permit the sentence of capital punishment, I have spoken in support of and I do so again on this third occasion.

"On both occasions, I have stated, and I say again, I was elected to a vacant position in this body twelve years ago. A vacancy that was created in 1970 when the late Senator Larry Kuriyama was shot to death by

a hired killer.

"Among other provisions in this bill, I agree with the sentence of death penalty for the person who commits murder for remuneration in which event, both the person hired and the person responsible for hiring the killer.

"I urge my colleagues to pass this measure again."

Senator Soares also spoke for the measure as follows:

"Mr. President, I rise to speak in favor of this bill.

"Mr. President, I think the Senate made history a few years ago when we had a committee of the whole meeting on this floor on this issue. The publicity was paramount; it was emotional; it was in some cases, almost frustrating. We sat on this Senate floor from 7:00 one evening until 5:00 a.m. the next morning, parading witness after witness, letting everybody, from all sectors of the state speak their piece, for and against this measure.

"We had a very difficult decision to make. However, I would have to say that while I am strongly in the belief that it is definitely a deterrent, and I share very strongly the statements made by the good Senator, Senator Kawasaki, and I admire him for the work and the diligent efforts he has had in this regard and I support him 110 percent, I found that at 5:00 o'clock in the morning, one speaker made a statement that moved me to no end. I have to admit that even though before he spoke I was convinced that I was going to vote 'aye' for this bill.

"He spoke about the family, while we were talking about the wrong person being electrocuted, given lethal gas or whatever, making a mistake and having the wrong person, and having all the attorneys coming before this body saying it would be an unfair situation, we may make a mistake and put the wrong guy away, and we never took for one minute, not one minute, the concern of a mother or a father whose rookie son in the police department, on his first beat and seeing a crime committed, would run over to do his job and get gunned down in the line of his duty.

"Consider the traumatic experience, the tragedy for the family left behind with the loss of someone like that. Consider the loss of a husband for a

wife, in the line of his duty.

"Now, many of us were tired and we had gone through a harrowing night but when this gentleman spoke he woke everyone of us up. And I do believe that while it is very difficult to make this decision, that I'm sorry that I don't see the same hearing again tonight because we would have heard everything, except what I just said a few minutes ago, how about the victim's family, who gets gunned down, how about them? Don't we owe a possible policeman or a guard's family some protection?"

"I am a firm believer that this bill will serve as a deterrent. There is no doubt in my mind. And I join my other Senators who spoke so profoundly tonight on this issue, and I ask my colleagues to think very hard and vote for this bill."

Senator Hagino then rose to speak against the measure and stated:

"Mr. President, I rise to speak against this bill.

"I'm sure my fellow colleagues have all heard the pros and cons about capital punishment. I would just like to cite the last execution that occurred in the United States as an example as to why I am against this bill.

"The last person to be executed in the United States was Charles Brooks, Jr., in Huntsville, Texas, on December 7, 1982.

"Charles Brooks, Jr. and Woody Loudres, in separate trials, were convicted and sentenced to death for the December 1976 slaying of a Fort Worth auto mechanic who had been bound, gagged, and shot once in the head.

"Loudres' sentence was later reversed because of a technicality in the jury selection process. With plea bargaining, in October 1982, he was given a 40-year sentence, making him eligible for parole in six and a half years.

"It was never determined whether it was Brooks or Loudres who actually fired the fatal shot and neither man ever volunteered that information. The man who had prosecuted Brooks, former Terant County District Attorney, Jack Strickland, later joined Brooks' attorneys in seeking ways to stay his execution on the grounds that Brooks and Loudres sentences were unacceptably

disproportionate.

"Strickland was later to say that 'only one shot was fired, and you don't know who fired it. One guy lives and one guy dies, and that strikes the citizens as unfair. The death may have come gently, but it was no consolation.'

"At this time, I would like to read an excerpt that appeared in the recent U.S. News and World Report magazine, and I quote: 'President Reagan backed lethal injection when he was Governor of California, liking it to a veterinarian's shot for an injured horse. Said Reagan, "'The horse goes to sleep, that's it.'"

"Mr. President, that reminds me of a movie I saw many years ago in which Jane Fonda portrayed a young lady trying to survive the depression by entering a marathon dance contest. She did not win the top prize but the lower cash prize that she won was soon dissipated when she had to pay for some of their contest expenses. Out of frustration, she committed suicide and as she shoots herself, there is a voice-over saying, 'They shoot horses, don't they.'

"Mr. President, this is one of many reasons I am voting against this bill. Thank you."

Senator Uwaine also spoke against the measure as follows:

"Mr. President, I wasn't planning to say anything tonight but after the very moving speech by the Minority Floor Leader on how he decided to vote 'aye' on this bill, I thought it would be appropriate that I also mention how I have come about to vote 'no' on this bill.

"Mr. President, it was about six years ago, when I was first elected to this Legislature. As a freshman state representative, I sat in a hearing for about six hours in the state auditorium, after the Senate through its long deliberations sent the death penalty bill to the state House. At that hearing, as a new freshman legislator, I was very indecisive as far as what I was going to be doing on this particular bill. And at the time of the hearing, I was not sure how I was going to vote.

"As you well know, the hearing at that time ran very long, maybe four to six hours. During that hearing, there was a big crowd in the auditorium and numerous amount of speakers, like in the Senate, who

went through testifying both in favor and against the bill. One of the things that struck me was that one particular lady, who was there very patiently waiting for her turn to testify, when it was her turn to testify, which was about 11:00 o'clock at night and the auditorium was really empty and most of the representatives had left already, she proceeded up to the podium to give her testimony.

"At the end of her testimony, she made a very profound statement that makes me again vote 'no' on this bill on the death penalty. That statement, Mr. President, was, 'Why do we kill people to teach other people that killing is wrong?' Today, again, Mr. President, I shall vote 'no.'"

Then Senator Toguchi spoke against the bill and stated:

"Mr. President, I rise to speak against Senate Bill 58.

"Mr. President, I also came from the House and in past years I have also opposed any bill that supports capital punishment. In listening to the discussion tonight, I'd like to touch upon four things that were mentioned here this evening.

"First of all, the question, 'Does the death penalty deter capital crimes?' You know, we can bring out different statistics, and I think the first speaker brought out some cases, but I also have before me some testimony from the ACLU who also cite other studies. For example, they cite studies in Michigan, compared to Ohio, about Indiana, about the state that eliminated the death penalty and showed no increase in capital crimes. The ACLU cited other studies from Minnesota and Rhode Island, as compared to Iowa and Massachusetts, for example. In which the states which eliminated the death penalty saw reduction of 40 percent in homicide over a period of 10 years, compared to the two states which maintained the right to inflict the death penalty.

"The point that I am trying to make here is that it really depends on what state and what study you are looking at, and on that basis as far as the deterrence, I am not totally convinced. This is point number one.

"Second, in the studies that I have looked at, and also it is reflected in many of the testimonies at the hearings, it can be shown very

clearly that the people that face this type of a sentence are usually the economically poor. Those that cannot afford the better lawyers in town. Take a look at our own prison system; take a look at the people that are there; look at what kind of life they had; what happened to them in our educational system; and if we had capital crime in Hawaii, look at the people that we will be executing. This is point number two.

"The third point, I think, was touched upon by several of you tonight and that is the possibility of error in judgment and the irreversibility of the penalty. It is going to be impossible to make an restitution. I understand some of your concerns about the victims but, again, I would like to cite also the last speaker's statement. I was also in that auditorium that day and I have to agree with him that we're telling people that in order not to kill, that we have to kill you.

"The fourth point I would like to make about this bill is that, also with this bill, we create a special class of people. I understand that these people that are listed in this bill before us are people that are very important to us. They are people that help with the crime, our police officers, people that work in the enforcement agencies. I understand that they are very important in that they take a lot of risks. But, I think, we are also saying with this bill, we're going beyond that ... we're creating a special class of people. We are saying that they are more important than other people and the type of crime committed against these people, listed in the bill, should be treated differently.

"Mr. President, I would like to go on further, but in the interest of time, I think we have to move on so I'd just like to say that for those four reasons that I have cited, I have not changed my mind. I voted against it in the House and although I am here in the Senate now I still am opposed to this bill."

Senator Cobb, in support of the bill, stated:

"Mr. President, very briefly, I realize that the subject of capital punishment is very much a matter of philosophy. I would like to share though a brief experience.

"When I was first elected eleven years ago, I was against capital punishment from a philosophical as

well as from a point of view of having read surveys and heard statistics. And then, I had the privilege, while serving as the chairman of the Corrections and Rehabilitation Committee in the House, of visiting Oahu Prison.

"During that occasion, I asked that twenty convicted murderers of the first degree be locked in a room with me, with no guards present, so that I could have an honest dialogue. I put the question to them, they who had been convicted of premeditated murder, whether if they knew that there was a death penalty statute and they stood a reasonable certainty of being executed for what they did, whether that would constitute a deterrent. Nineteen out of twenty said yes, one was not sure.

"That to me, Mr. President, was the most convincing evidence of all because I didn't rely on my friends, the social workers or the psychologists or others who might theorize about the subject. These individuals, above all others in society, are the resident experts on the subject of capital punishment because they are the ones that have to face the possibility of execution. Nineteen out of twenty of those experts said, 'Yes, that is a deterrent.'

"Next, Mr. President, if we look at the economic reality of the situation, if you look at states that have a death penalty statute and compare them with states that do not, you will find that the price of a contract killing is approximately ten times higher in states with a death penalty than in states that do not. It's a matter of economics and occupational hazard.

"Mr. President, I was there for that hearing when that question was asked, 'Why do we kill people to show that killing is wrong?' But there was a parenthetical question that was also asked and has never been answered, and that is, 'Why do we allow people who kill people to go on killing people?'"

"Thank you."

Senator Cayetano spoke against the measure as follows:

"Mr. President, I rise to speak against the bill.

"First, let me say that Senator Abercrombie and I signed 'with reservations' on the committee report

in deference to our colleagues Senators Kawasaki and Carpenter so we could have the kind of dialogue that we are having tonight on this very, very emotional issue.

"I appreciate the remarks of pro and con from my colleagues. Hopefully, this will not be repeated next year and we can put this matter rest, once and for all tonight.

"One of the questions that has never been answered in my mind, is the question of mistake. As one who has practiced in the courts, I can tell you that our system of justice is hardly infallible. In fact mistakes are made over and over again.

"About a month ago on 'Sixty Minutes' there was a story about a young, black man in Illinois, I believe it was, who had been convicted for multiple rapes and imprisoned for a period of five years ... five years, Mr. President, before the real person was found.

"The State of Illinois can pay that man back something for the five years that he lost. Had he committed a capital crime, he would have been executed by now. There is no compensation that can pay for the loss of a life under those circumstances.

"Right here in our own state about a year ago, if I recall correctly, a young man in Manoa was arrested for multiple rape. He had been positively identified by two of the rape victims. Well, as it turned out, after languishing in jail, he was unable to make bond, for about three months, it was a case of mistaken identify, he was released and another person is being tried for those crimes.

"The point of all of this, I think, goes to the heart of our judicial system. I have always believed that it is better to let ten guilty men go free than to convict one innocent person. Most of us, I think, believe that. If you don't then I think that we have a disagreement about what our system of justice should be. Opposing capital punishment, I think, is totally consistent with that principle.

"I would like an answer from the proponents of the bill, 'How do we deal, how do we compensate with the families of those who have been wrongly executed?'"

Senator Kawasaki then offered a response, as follows:

"Mr. President, since a response is requested, I think if the good Senator, a friend of mine, from Waipahu, would have read the language of Senate Bill No. 58 ..."

Senator Cayetano interjected: "Pearl City, Mr. President."

Senator Kawasaki continued: "I stand corrected, Mr. President, Pearl City, would have read the bill he would see that we have, as I stated previously, provided very exacting standards before we adjudge a man guilty."

"The list of mitigating circumstances would have prevented the execution of the youngster who was put into jail for several weeks on a mistaken identify, because he had had no appreciable serious criminal history. That puts him in the category of someone who would have been the beneficiary of mitigating circumstances and he would not have been executed under any circumstances as the language provides for in Senate Bill 58."

"I am a little astonished that those people who advance the cause of non-enactment of this bill really haven't read the bill carefully. I have come to the conclusion some time ago that sometimes logic and facts presented before legislative bodies fall on deaf ears or dumb minds, one or the other, and I feel that this is basically an issue to be decided on emotional arguments, I accept that fact, but I do hope that some of you will read in the papers in the future that some unfortunate woman, who was raped and also murdered because the offender desired not to have evidence remaining, I would hope that you people who vote against this bill can really search your conscience and not feel satisfied, when you read of a victim of an armed robbery incident, that happens on occasion in this city, an armed robbery victim who was also murdered by the offender. I think the enactment of a death penalty statute, at least, more often than not, might very possibly prevent the killing by the offender of a victim of such offenses."

"If we save but one life, if we save but two lives during the course of a year, these categories of offenses, then it's worth enacting this bill, even if there is a remotest possibility that we might have executed a person erroneously. I don't think that this is going to happen but I do want to give a chance for this bill to be

enacted so we can save the lives of human beings who are victims of rapists, of armed robbers, et cetera."

Senator Abercrombie spoke against the measure as follows:

"Mr. President, I realize that the hour is late but I feel that as someone who did sign with reservations, out of respect for the amount of work that has gone into this bill, that I should make a couple of remarks."

"I have indeed read this bill very, very thoroughly and I do respect the people that brought it forward and the reasons that have been given. I have to speak against the bill and I have thought about it since that time. I didn't do it for perfunctory reasons. I went over it again and again and I have gone over it again and again. I am one of the few people in this room, on this floor, who was in one of the categories of occupation that is listed in the so-called 'special class.' I was a probation officer for three years."

"I had occasion to enter into a situation, as outlined by Senator Kawasaki, where mitigating circumstances occurred where someone was not necessarily under extreme mental or emotional disturbance."

"I was called by the police one afternoon to ... and I feel, again, this may be an individual story, but I think those individual stories have been useful here this evening ... where a person was not even on probation, I was doing a pre-plea report, and this is the kind of thing that I think speaks ultimately against the bill, the person involved was especially disturbed and had a shotgun; I had established a rapport with this person, and so the police decided to give me the opportunity to go into the house, if I would, instead of the police, because they feared that there would be a gunfight. And, I can remember very well, Mr. President, exactly in my mind's eye, how it felt walking up that walk, 'they do not pay me enough money to do this.' I'm not precisely sure why, now, I did go ahead and do it, a sense of duty, I was an officer of the court."

"So, I feel very strongly for the judiciary chairman's emphasis in this area, that you are speaking about people who come into a situation of danger, and for that reason, I think that they are selected out, and

rightly so, if you believe in this bill.

"I have done reports on murderers. The first report that I was required to do was a pre-hearing probation report for a murderer in San Quentin Prison. He also would have come under the mitigating circumstances section inasmuch as he was a borderline moron, mentally retarded, severely so, and had committed a necrophilic murder at the age of eighteen.

"I have met with people and seen situations in San Quentin and other places that probably approximate some of the discussions that have been held here tonight. And, I've recommended people to go to prison because there was nothing else that could be done. But, Mr. President, as a result of all that, I have not concluded then, that execution at San Quentin or in the State of Hawaii, is the way to handle these things. On the contrary, I think the mere fact that this bill has to be as detailed as it is, with respect to mitigating circumstances, indicates that the kinds of cases that would allow for the taking of a life by society are so few, that even the proponents of the bill are not in favor of capital punishment per se, but capital punishment under highly restrictive circumstances. And, I do not think then, as a result that logic follows that it is in fact a thing that a civilized society should do.

"My view of history is that execution has been the way of those who are the oppressors, and I include in this instance, those people who do take lives and who would go to prison for taking those lives. They are the oppressors. There is no question about that. But, on the whole, you will find that these people are of a category on a mentality for whom the deterrent effect is absent, with respect to capital punishment, with respect to the crimes that they commit, including premeditated murder.

"Murder most often takes place, Mr. President, after all the statistics are over with, among people who know each other, during highly emotionally charged circumstances. So, in the end, what I have to conclude is, how are we to become better people? How are we to set a standard to the degree that we can set it at all in a legislative body with respect to what we want or what we expect of ourselves in other people.

"If we impose a death penalty as

the policy of the state with respect to death then we have in fact let those who are most reprehensible in our society set the standards by which society shall live. They certainly have set the standard by which someone else should die. I do not think that we should put ourselves on that level as a society. We have the violent power of the state at our command. The only power of violence that should be exercised is the power to protect ourselves collectively. To exercise it in the same manner as those who abused it seems to me to create a lesson beyond doubt in my mind for those who are growing up that this kind of activity is in fact acceptable under some circumstances. You merely have to be able to have the power to do it. Therefore, I must vote against the bill."

At this time, the Chair made the following observation:

"Members of the Senate, I think we have heard all the discussion on the matter and we are now prepared to vote on the bill. The hour is late and the Chair would like to get on with the other bills."

The motion was put by the Chair and carried, and S.B. No. 58, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL CRIMES," having been read throughout, failed to pass Third Reading on the following showing of Ayes and Noes:

Ayes, 9. Noes, 16 (Abercrombie, Cayetano, Chang, Fernandes Salling, George, Hagino, Holt, B. Kobayashi, Machida, Mizuguchi, Solomon, Toguchi, Uwaine, Yamasaki, Young and Wong).

The Chair then made the following announcement:

"Senators, before proceeding, the Chair would like to request of you that should you have testimony on the remaining bills, that they be submitted to the Clerk to be entered into the Journal. I would like for us to get to the voting of the bills."

Senate Bill No. 640, S.D. 1:

Senator Cobb moved that S.B. No. 640, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chang.

Senator Cayetano rose to speak against the measure as follows:

"Mr. President, very briefly, I rise

to speak against this bill.

"What this bill does is to provide a statute of limitations to limit the tort actions arising out of the planning, design, suretyship, manufacturing and supplying of materials, construction, relating to an improvement to real property, to two years after accrual but no more than six years after completion of the improvement.

"Mr. President, the general statute of limitations for any tort action is two years after the date of the accident or the date the person who was injured had reason to know of the tort. What this bill would do is cover an exception for those who are engaged primarily in the business of designing and constructing buildings and other kinds of structures.

"This bill has a history which goes back to approximately six years. And, what has happened in those six years is that the law has been declared unconstitutional by our Supreme Court on two occasions, and in each occasion, the court has ruled that this law is unconstitutional because it is a violation of the equal protection clause of the United States Constitution and that there is no rational basis to justify the class discrimination that we have in this statute.

"Each time the law has been declared unconstitutional, the industry has come back and lobbied, all they have done each time is to expand the class a little more. They've done that twice. Now they're back again. Perhaps they are adding people who observe construction now. I'm not sure.

"In any event, my prediction is that this bill, this law will be struck down because it violates the equal protection clause. There is no reason to give the members of this particular profession this kind of protection. Moreover, there is a good public policy reason why we should not.

"I cite the committee report, on the second page where it says, 'It is the obligation of the Legislature to do all it can to control the high cost of housing so that the dream of home ownership does not slip from the grasp from an even greater number of Hawaii's residents.' That is good testimonial to vote against this bill.

"The fact is, Mr. President, that if this bill passes, anyone who purchases a home had better hope

that he does not discover a defect in the construction of that home after six years. Simply put, he will not be able to seek any redress against the people who constructed the home.

"This building, for example, if that chandelier were to fall, Mr. President, while the Republicans were caucusing underneath..."

Senator Soares interjected: "Mr. President, point of order, there's more of us and one of them."

Senator Cayetano continued: "... because of faulty construction, and that construction was done over six years ago, Mr. President, no lawsuit, no redress could be found.

"So, what we are talking about there is a basic policy question. This is a special exception and I don't think we should do this."

The motion was put by the Chair and carried, and S.B. No. 640, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Abercrombie, Cayetano, Fernandes Salling, Hagino and B. Kobayashi).

Senate Bill No. 1464, S.D. 2:

Senator Yamasaki moved that S.B. No. 1464, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Soares rose to speak against the bill and stated:

"Mr. President, I rise to speak against this bill.

"Mr. President, we have faced many difficult decisions this session but none as critical as those relating to the state's finances. As responsible Senators, we must examine each proposal on its merits. Currently, we don't believe that increasing the general excise tax is in the best interests of the people of this state. It again flags out the hue and cry that we have just gone through recently that Hawaii is anti-business.

"It is certainly going to affect the cost of business. It is certainly going to affect the prices in the marketplace. It is certainly going to echo throughout the state and throughout the country that we are

again adding taxes to our way of doing business.

"I am concerned that taxing our local residents and local businesses is contrary to our clear and present need to improve our business climate. Mr. President, saying that we are doing it temporarily, only means that it will be permanent.

"I urge all of this body to vote this tax measure down."

Senator Kawasaki, also in opposition of the measure, stated:

"Mr. President, I believe the previous speaker is absolutely correct in his concerns about the end effects of raising the gross income tax. This step might be the first door opener, so to speak, for tax increases that we have resisted so far for many, many years. I don't think that this is necessary at the moment.

"In the first place, this type of tax is perhaps the most regressive that we can find in the whole spectrum of tax legislation. I think, you, yourself, Mr. President, expressing the wishes of most of the members of this Senate, have articulated to the public that the Senate does not feel that tax increases are necessary and we will not increase taxes at this time."

Senator Yamasaki then rose to speak for the measure and stated:

"Mr. President, I rise to speak in favor of this bill.

"Throughout our nation, state revenues have fallen \$8.0 billion below estimates for fiscal 1983 in less than a year, according to an article in the State Government News of February 1983.

"Also, the aggregate deficit in 41 states that responded to a survey could total \$2.0 billion.

"Some of the states experiencing budget problems include California, Colorado, New Hampshire, New Jersey, New York, Pennsylvania, Vermont, Virginia, and Wisconsin.

"The survey also found that over half of the 39 states responding had limited hiring or made budget cuts in fiscal 1982. Across-the-board budget cuts were adopted by 15 states in 1982 and 18 in 1983, and layoffs in 12 states in 1982 and 15 in 1983. Taxes increased in 22 states in the two years, according to the survey.

"Taxes were raised in December by several states. New Jersey increased its sales tax to 6 percent and its income tax to 3.5 percent on incomes of more than \$50,000, effective January 3, 1983, for a \$180 million estimated new tax revenue plus budget cuts of \$30 million and use of \$43 million of surplus funds.

"Minnesota increased its sales tax by 1 percent to 6 percent, the second such raise in recent years. In December, income tax surcharge was raised from 7 percent to 10 percent, made \$140 million in spending cuts and delayed a \$100 million school aid payment from June to July so it falls in the new fiscal year.

"Michigan, Mississippi, Indiana, and Wisconsin also raised their taxes in some form.

"This information, Mr. President, indicates that, nationally, nearly every state with few exceptions have fiscal problems due to declining revenues from their own resources and by cutback of federal funds and programs.

"In the State of Hawaii, our visitor count for 1982 reached the 4,000,000 mark and on the rise, and our unemployment rate appears to be fairly steady.

"The Council on Revenues which met on March 10th issued a report yesterday, the 15th, which says that it has decided that the general fund revenues estimates should remain the same as last reported to us on January 12, 1983. All members of the council are most optimistic about the state's economy over the next several years. And it further states that a better economy, however, does not necessarily mean higher tax revenues.

"The real tax collection as of the end of February is 3.3 percent over the 8 months of this fiscal year, lagging behind by 5 percent of the projected 8.2 percent growth. The collections for March and April should be a better indicator of the trend as we would have most of the quarterly returns and annual income tax returns in this period. Therefore, until more revealing figures are in, at least for March, we need to have some standby form of revenue producing measure if we are to meet some of the more critical demands of our citizens for economic development, an investment to provide more jobs, to meet urgent social and human services programs, to address the needs of our elderly and disabled and

to return to the people their tax dollars through a variety of government services.

"Through this measure, Mr. President, which is a temporary one, it is possible to begin making an investment in the future of Hawaii. It will allow us to provide funds for our needed after school and community activity programs for our youngsters in an enrichment of our communities.

"We will be able to redirect our priorities with resources to take a bold step to stem the tide in reducing the incidences of crime. Much of our inability to address the need to prevent crime has been money, and here is an opportunity for this body to say, 'Yes, we can address the issue of crime and here is how we will do it,' with a modified tax measure in which local taxpayers are expected to shoulder about one-half of the burden through a tax credit.

"I urge, Mr. President, that this body vote unanimously for this bill and to indicate to the people of Hawaii that these additional resources will be used to move Hawaii forward.

"I would like to remind this body that during the session of 1980, Senate Bill No. 2813, a bill on taxation for a 1 percent general excise tax bill was voted upon by this Senate and moved to the House.

"This bill is just a temporary one, for one year. Thank you very much, Mr. President."

Senator Cayetano spoke against the measure as follows:

"Mr. President, very briefly, I rise to speak against any tax increase.

"We tried, Mr. President. We introduced a lottery bill to raise revenues and we lost that fight. We tried to introduce a tourist tax and the biggest argument against the tourist tax at that time was that the imposition of a tourist tax would hurt the tourist industry and the economy as a whole. Under such circumstances, it hardly makes sense to pass this tax bill."

Senator Uwaine, in support of the measure, stated:

"Mr. President, very briefly, in favor of this bill.

"It reminds me of an old saying,

Mr. President, 'Everybody wants to dance but nobody wants to pay the band.'"

Senator Soares added his opposition to the bill as follows:

"Mr. President, I would be remiss in not making concluding statements against this bill because we are convinced that we haven't had the time to really look at the general financing of the state. We've talked about it. We haven't sat down to really do the options available to us and we say that, during the last campaign and there were all kinds of statements made, we are financially solvent, we have a surplus of \$200 million, and now we want a temporary, I repeat, a temporary increase.

"We're going to be voting 'no' on this bill."

Senator Mizuguchi opposed the measure and stated:

"Mr. President, I am obliged to oppose this bill to increase taxes. I believe that it is a premature and precipitous reaction to a financial situation which is not at all clear.

"No one has been able to present a convincing case that the state faces financial catastrophe if taxes are not increased. The state administration, which first sounded the alarm, still remains confident that state spending can be managed without raising taxes.

"There are a number of signs which indicate that the wiser and more prudent course would be to wait and see.

"The general fund financial plan in the executive budget seems to indicate that expenditures in the current fiscal year will be close to the amounts appropriated. Yet, we know that in fiscal year 1982, \$45 million was lapsed, and with the tighter controls being exercised by the governor in this fiscal year, a larger amount might be lapsed, and then carried over into the next biennium.

"Then, there is the \$70 million in disputed liquor taxes. We can't begin spending it yet, but the rulings thus far have been favorable to the state.

"Also, the revenue performance has been most peculiar. Why did January general fund taxes increase by 27 percent over the amount collected in

January of 1982?

"Some of these signs are contradictory. Without more information, and especially without knowing with reasonable confidence what the state's condition will be at June 30 of this year, it would simply be a mistake to impose an additional tax burden at this time."

The motion was put by the Chair and carried, and S.B. No. 1464, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 14. Noes, 11 (Abercrombie, Ajifu, Cayetano, Fernandes Salling, George, Henderson, Holt, Kawasaki, A. Kobayashi, Mizuguchi and Soares).

Senator Soares, on point of order, remarked: "Mr. President, on a point of order, I don't think the count was 14 to 11."

The Chair answered: "Senator Soares, yes, it was 14 to 11."

Standing Committee Report No. 502 (S.B. No. 1461, S.D. 1):

Senator Yamasaki moved that Stand. Com. Rep. No. 502 be adopted and S.B. No. 1461, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Soares spoke against the measure as follows:

"Mr. President, your Republicans are going to be voting against this bill for the same reasons ... we're trying again ... the total package, together. We have surpluses, now we are taking away what we gave to our taxpayers. Again, we are not utilizing our resources and looking at the total package."

Senator Mizuguchi also spoke against the measure and stated:

"Mr. President, I oppose this bill which would repeal the constitutional provisions for special tax refunds and tax credits under certain conditions.

"The present constitutional arrangement seems to me to be fair and reasonable. It was proposed in 1978 as a measure of fairness to taxpayers. It was also developed as a safety valve against the development of any snow-balling surplus because of constitutional

spending limitations.

"Some have been saying that the present constitutional provision is responsible for the state's current financial predicament. It could be that the \$90 million in tax credits which were authorized for 1982 cut too deeply in the state surplus. But this was an amount determined by the Legislature as a matter completely within its discretion -- not an amount required by the Constitution.

"It was not too long ago that the state's revenue performance was strong, and if the national and local economies improve, we might see a more predictable and positive trend in state finances.

"We should resist repealing an amendment which was drawn on behalf of taxpayers just because the situation is a little cloudy.

"The present provision is clearly on the side of the individual taxpayer in this state, and it deserves to be kept."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 502 was adopted and S.B. No. 1461, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE CONSTITUTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 13. Noes, 12 (Ajifu, Cayetano, Chang, Fernandes Salling, George, Henderson, Holt, Kawasaki, A. Kobayashi, B. Kobayashi, Mizuguchi and Soares).

Senate Bill No. 756:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 756, entitled: "A BILL FOR AN ACT RELATING TO FILM MAKING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1072, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1072, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 903, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 903, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1080, S.D. 1:

By unanimous consent, action on S.B. No. 1080, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 800, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 800, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONAL CONCILIATION PANEL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Abercrombie, Cayetano, Fernandes Salling, Kawasaki and Solomon).

Senate Bill No. 1248:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 1248, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 588 (S.B. No. 900, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 588 was adopted and S.B. No. 900, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LIQUOR TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Carpenter).

Senate Bill No. 937, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi

and carried, S.B. No. 937, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 592 (S.B. No. 1192, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 592 was adopted and S.B. No. 1192, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIME COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Carpenter, Henderson and Solomon).

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Senator Cayetano, at this time, inquired of the Chair: "Mr. President, before going on to Senate Bill 1080, did Senate Bill 1100 pass?"

The Chair replied: "Yes, it did, Senator Cayetano."

Senate Bill No. 1080, S.D. 1:

Senator Cayetano moved that S.B. No. 1080, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Cayetano rose to speak in support of the measure and stated:

"Mr. President, I suppose it is fitting that this is the last bill because, frankly, I'm not too hopeful about its prospects. However, occasionally, we need to bring these bills to the floor for a vote. Primarily, to flag out some issues, and I hope my colleagues will listen because this bill will resurface again, I assure you.

"Mr. President, this bill was drafted in response to the urgent pleas and cries of the utilities. The utilities came to the Economic Development Committee, told us of their problems, the problems especially with respect to the lag time in the decisions made on their applications for rate increases, and they proposed a bill where if a reapplication was filed, and the PUC did not make a decision within nine months, the PUC would be forced to

award a temporary rate increase ranging between 40 and 60 percent of the so-called probable entitlement.

"After the hearing, we listened to them and we felt that they had a case."

The Chair, at this time, warned Senator Cayetano that it was only a few minutes before 12 o'clock midnight to which Senator Cayetano replied: "Yes, Mr. President, I know, I guess that means six minutes, right?"

The Chair replied in the affirmative and the Senator remarked: "I don't think it will make too much difference."

Senator Cayetano continued: "And so, Mr. President, in drafting the legislation, we looked to the way the PUC treated the water carriers, namely, Young Brothers. And with respect to Young Brothers, when a rate application is filed, they have what is called a file and suspend system -- if the PUC does not make a decision within six months, it is forced to make an award.

"The burden of proof with Young Brothers or with the water carrier is what is called 'clear and convincing evidence.' The burden of proof with the other utilities for rate increases, and this would be the electric companies, the telephone companies, all of whom are now asking for increases, in fact the telephone company has an application pending before the PUC which will result, if awarded, in over \$100 million, if I recall correctly, their burden of proof is called 'preponderance of the evidence.' Preponderance of the evidence is a much lesser burden of proof than clear and convincing evidence.

"Now, we drafted this bill to match the way that the PUC deals with the water carriers; namely, if a rate application is filed and the PUC does not make a decision within a certain time, the bill reads that the PUC 'shall' award the utility anywhere from zero to 100 percent of what it is probably entitled to. And consistent with the burden of proof that is applied to water carriers, we changed that burden of proof from preponderance of the evidence to clear and convincing evidence. It didn't seem like such a big thing at that time because what we did was standardize the procedures before the PUC for the waters carriers and for the energy utilities.

"Lo and behold, this morning, I could not believe my eyes. I saw what must have been the entire administrative staff of the PRI, of GASCO, of Hawaiian Electric, Hawaiian Telephone buzzing in and out of the offices here, lobbying for the 'capital punishment' of this bill. Well, they may have succeeded.

"Unfortunately, I think that some of you who are going to vote against this bill don't really know why. You haven't really read the bill but you got the message from the lobbyists. And, it's really kind of sad because today, I mean tonight, we have here, in a way, given a 'helluva' lot to the industry. Everybody has made out except the consumer.

"We've given points to the industrial loan companies. We've given other things to these utilities. Everybody, all of the industry has made out, except the consumer.

"This is a consumer bill, Mr. President. In voting for this bill I think the people have to decide, as was once put to Senator Abercrombie by a former state Senator, this bill ..."

The Chair interjected to again warn Senator Cayetano of the hour of the clock and Senator Cayetano answered: "Yes, Mr. President, I know, that's two minutes, right? I'm going to use up all of this time, it doesn't make a difference."

Senator Cayetano continued: "If you vote for this bill, you are for the consumer. If you vote against this bill, you are for the utilities. It is really that simple.

"And if you look at what's happening with the high cost of electricity, is there anything wrong with holding these utilities to a higher standard of proof when they want their money in advance, as we do with the water carriers? I don't think so.

"In any event, I'm ready for the vote.

"Let me tell the public utilities, though, that if they achieve a victory here tonight, it may be a very Pyrrhic victory. The other bill is coming up.

"Thank you."

Senator Soares responded as follows:

"Mr. President, I think it is best if I just keep talking on this bill."

The Chair replied: "If you do, the clock will run out."

Senator Soares replied and remarked: "Let it run out ... because as far as I'm concerned, I don't think it's fair to put the Senate on the floor saying, 'if you vote for the bill you're voting for the utilities and not for the consumer.'"

"Mr. President, I think that my chairman, and I stand with him, win or lose, on a lot of things, and I think this is one of the things we may be separated on because the ad hoc committee of which I was chairman, spent three months with the utilities, spent three months trying to work out what is fair to both the consumer and the utilities."

"We met hour upon end and we tried to come up with language in a bill, which I presented to the committee from the ad hoc committee, talking about the nine months versus twelve months, discussing the merits of trying to give the consumer the break as far as rates, but when it comes to producing evidence, Mr.

President ..."

Senator Abercrombie interjected: "Point of order, Mr. President. It's 12:00 o'clock."

Senator Soares answered and continued: "I have the floor, Mr. President, ... would be that that case was based on the water carriers, the water carriers have a problem between the tug and barge and Young Brothers has nothing to do with the utilities, Mr. President, and, therefore, if it's 12:00 o'clock we're in a new day and the bill is dead."

The Chair answered: "That is correct, Senator Soares. The Chair has noted that the time has expired. We will begin a new day and continue this."

"The legislative day is ended and we will reconvene here at approximately 12:05 a.m."

ADJOURNMENT

At 12:02 o'clock a.m., the President declared the Senate adjourned until 12:05 o'clock a.m., Thursday, March 17, 1983.

THIRTY-SIXTH DAY

Thursday, March 17, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 12:11 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Senator Neil Abercrombie after which the Roll was called showing all Senators present with the exception of Senator Kawasaki who was excused.

The President then stated:

"Members of the Senate, before adjourning, the Chair would like to take this opportunity to thank all of you for your patience during the previous day's session. In

particular, Senator Cayetano, thank you for letting us complete our agenda before beginning your floor debate.

"The Chair appreciates the discussions on third reading bills although we cut it very close.

"I hope we all have a relaxed day and will be prepared to resume our work on Friday."

ADJOURNMENT

At 12:15 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 18, 1983.

THIRTY-SEVENTH DAY

Friday, March 18, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Father David Logan of Saint Pius X Church, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie, Henderson, Kawasaki, Machida and Solomon who were excused.

The Chair announced that he had read and approved the Journal of the Thirty-Fifth and Thirty-Sixth Days.

At this time the following introductions were made to the members of the Senate:

Senator Carpenter, on behalf of Senators Henderson, Solomon and himself, introduced nine sixth grade students from Hilo Union School, accompanied by their teacher Mrs. May Yaeger, and their parent chaperones, Jackie Wong and Mrs. Pat Young.

Senator Yamasaki, on behalf of Senators Machida, Solomon and himself, introduced ten fifth grade math enrichment students from Kihei School, accompanied by their teachers Mrs. Winona Matsumura and Mrs. Donna Kauhane.

Senator Toguchi then introduced 90 sixth grade students from Heeia Elementary School in Kaneohe, accompanied by their teachers, Mrs. Haida, Miss Lee and Mrs. Tavares; and parents, Mrs. Morgan, Mrs. Fujimoto, Mrs. Yoshimura, Mrs. Kubo, Mrs. Kinoshita, Mrs. Shiroma and Mrs. Kalaukoa.

Senator Aki then introduced Gail Souza-Save, Claudine Schoen, Rita Wong, Dixie Padello, Herb Padello and Rose Angeles, members of Hale Lokahi, a child and family services program on the Leeward-Waianae Coast.

Senator Uwayne then rose and stated:

"Mr. President, in the seven years that I've been fortunate to serve the people of this state in the Legislature, I have never made a floor presentation. It's not that I never

had the opportunity, but I have never had such a distinguished and beautiful honoree as I have today.

"Our young honoree, after much competition, was named by a panel of judges to be the 1983 Tiny Miss McKinley. At the time that she was being judged, she was asked several questions, but before I go into that I'd like to also mention that she's three years old and she attends Muriel Pre-school, the same school that her father attended.

"At the time that she was being judged by the judges, as far as the competition for Tiny Miss McKinley, she had answered several questions and one of those questions was 'What was your favorite ice cream?' Her favorite ice cream is strawberry, but more of interest to this body, when she was asked, 'What is your favorite animal?' her answer was the frog. Just a moment ago, however, she changed the frog to a penguin. I think that is somewhat attributable to her upbringing by her father.

"When she was asked what she wanted to be and do when she grew up, she said that she wanted to run for office so that she could have many fund-raisers.

"Mr. President, at this time, I'd like to introduce the honoree, Miss Ahnya Chang, who is the 1983 Tiny Miss McKinley. She is accompanied today by her mother, Lisa. And, by the way, I almost forgot to introduce her father who is just a very humble servant of the people of this state, Senator Tony Chang."

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 o'clock a.m.

DEPARTMENTAL COMMUNICATION

A communication from the Department of Planning and Economic Development, Research and Economic Analysis Division (Dept. Com. No. 32) transmitting a report entitled: "Hawaii Economic Research Reports, Quarterly Statistical and Economic Report, State of Hawaii, First Quarter 1983," was read by the Clerk and was referred to the Committee on Economic Development.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 291 and 292), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 291) transmitting House Bill No. 1528, H.D. 2, which passed Third Reading in the House of Representatives on March 16, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1528, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 292) transmitting House Bill No. 1531, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1531, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 45 to 47) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 45), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO REVIEW THE GENERAL SERVICE PRACTICES OF T.V. SYSTEMS, INC.," was offered by Senators Toguchi, Hagino, Cayetano, Mizuguchi, George and Soares.

By unanimous consent, S.C.R. No. 45 was referred to the Committee on Consumer Protection and Commerce.

A concurrent resolution (S.C.R. No. 46), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO KAHANA VALLEY," was offered by Senators George, Fernandes Salling, Toguchi, Hagino, Kuroda, Cobb, A. Kobayashi, Soares and Abercrombie.

By unanimous consent, S.C.R. No. 46 was referred to the Committee on

Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 47), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF DEFENSE AND TRANSPORTATION TO GIVE DUE AND CAREFUL CONSIDERATION TO WHEELER AIR FORCE BASE AND BARBER'S POINT NAVAL AIR STATION IN ITS SEPTEMBER 1983 REPORT TO CONGRESS," was offered by Senators Hagino and Uwayne.

By unanimous consent, S.C.R. No. 47 was referred jointly to the Committee on Federal Relations and the Committee on Transportation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 57 to 59) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 57), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO REVIEW THE GENERAL SERVICE PRACTICES OF T.V. SYSTEMS, INC.," was offered by Senators Toguchi, Hagino, Cayetano, Mizuguchi, George and Soares.

By unanimous consent, S.R. No. 57 was referred to the Committee on Consumer Protection and Commerce.

A resolution (S.R. No. 58), entitled: "SENATE RESOLUTION RELATING TO KAHANA VALLEY," was offered by Senators George, Fernandes Salling, Toguchi, Hagino, Kuroda, Cobb, A. Kobayashi, Soares and Abercrombie.

By unanimous consent, S.R. No. 58 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 59), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENTS OF DEFENSE AND TRANSPORTATION TO GIVE DUE AND CAREFUL CONSIDERATION TO WHEELER AIR FORCE BASE AND BARBER'S POINT NAVAL AIR STATION IN ITS SEPTEMBER 1983 REPORT TO CONGRESS," was offered by Senators Hagino and Uwayne.

By unanimous consent, S.R. No. 59 was referred jointly to the Committee on Federal Relations and the Committee on Transportation.

STANDING COMMITTEE REPORT

Senator Young, for the Committee

on Legislative Management, presented a report (Stand. Com. Rep. No. 613) informing the Senate that Senate Concurrent Resolution Nos. 45 to 47, Senate Resolution Nos. 56 to 59 and Standing Committee Report Nos. 611 to 612 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

ADVISE AND CONSENT

Standing Committee Report No. 608 (Gov. Msg. Nos. 136, 137, 138 and 139):

Senator Cobb moved that Stand. Com. Rep. No. 608 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of William K. Pacatang to the Board of Social Services and Housing, term to expire December 31, 1986, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Chang, Henderson, Kawasaki, Machida and Solomon).

Senator Cobb then moved that the Senate advise and consent to the nomination of Richard S. Dumancas to the Civil Service commission, term to expire December 31, 1986, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Chang, Henderson, Kawasaki, Machida and Solomon).

Senator Cobb then moved that the Senate advise and consent to the nomination of Odetta Fujimori to the Hawaii Employment Relations Board, term to expire December 31, 1986, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Chang, Henderson, Kawasaki, Machida and Solomon).

Senator Cobb then moved that the Senate advise and consent to the nomination of James Brown to the Board of Trustees, Hawaii Public Employees Health Fund, term to expire December 31, 1986, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Chang, Henderson, Kawasaki, Machida and Solomon).

Standing Committee Report No. 609 (Gov. Msg. No. 140):

Senator Cobb moved that Stand. Com. Rep. No. 609 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Iris T. Fukui and Michael C.K. Wong to the Advisory Commission on Manpower and Full Employment, terms to expire June 30, 1986, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Chang, Henderson, Kawasaki, Machida and Solomon).

Standing Committee Report No. 610 (Gov. Msg. No. 158):

Senator Cobb moved that Stand. Com. Rep. No. 610 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of James H. Takushi as Director of Personnel Services, term to expire December 1, 1986, seconded by Senator Soares.

At this time Senator Mizuguchi rose and stated:

"Mr. President, I rise to speak in support of the confirmation of James Takushi.

"James Takushi's personal vitae is a matter of record with you and members of the Senate. Therefore, we all know of his qualifications, his knowledge and experience in the field of personnel and industrial relations.

"However, Mr. President, there is a part of his philosophy of leadership that needs to be mentioned today.

He has the ability to manage people. It is his attitude and desire for honest give-and-take within the decision-making process. He will ask for, listen to, and carefully consider a wide range of input and options before making a decision. And when a decision is reached, Jimmy Takushi will accept responsibility for that decision.

"This is the type of leadership that is needed in government and at the Department of Personnel Services. I ask all Senators for their support.

"Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Abercrombie, Henderson, Kawasaki, Machida and Solomon).

RE-REFERRAL OF
HOUSE BILLS

The President made the following re-referral of House Bills that were received on Monday, March 14, 1983:

House Bill	Referred to:
No. 761, H.D. 1 Ways and Means.	Committee on
No. 779, H.D. 2 Human Resources, then to the Committee on Ways and Means.	Committee on
No. 780, H.D. 2 Human Resources, then to the Committee on Ways and Means.	Committee on
No. 1422, H.D. 1 Agriculture.	Committee on

ADJOURNMENT

At 11:58 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, March 21, 1983.

THIRTY-EIGHTH DAY

Monday, March 21, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Miss Nola Freeman, member of the Honolulu Bahai Faith, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie and Aki who were excused.

The Chair announced that he had read and approved the Journal of the Thirty-Seventh Day.

At this time, the following introductions were made to the members of the Senate:

Senator George, on behalf of the Senate, introduced Miss Gale Lee Thomas, the reigning Miss Hawaii, accompanied by Ms. Marci Matich, the Miss Hawaii Contest Program Director, and Ms. Sharon Clark, the Public Affairs Coordinator for Hawaiian Airlines, the principal sponsor of the Miss Hawaii competition.

Senator Kuroda, on behalf of the Senate, introduced Mr. and Mrs. Larry Malouff of Grand Lakes, Colorado, accompanied by their sister-in-law, Mrs. Hejde, whose husband is the commanding officer of the 619th Squadron based at Hickam Air Force Base.

Senator Hagino, on behalf of the Senate, introduced the members of the Girl Scout Cadet Troop 84 from Schofield Barracks, accompanied by their advisors, Mrs. Sandy Cole and Mrs. Savage.

Senator A. Kobayashi, on behalf of the Senate, introduced Mr. Leonard Byrd, a 72 year old visitor from Scarborough, England, who was rescued last week from the Koolau Ridge Trail, accompanied by Ms. Nancy O'Neil, Mr. John Swindle and Mr. Weston Webb who are members of the Honolulu Friends Meeting Group.

Senator Soares then introduced Mr. and Mrs. Ellsworth Vierra of Portland, Oregon.

Senator Cobb, on behalf of the Senate, introduced members of the Junior Girl Scout Troop 501 from Hickam Air Force Base accompanied by their leaders, Sally Walters and

Latifah Miller.

Senator Cobb then introduced members of Girl Scout Troop 18 from Hickam, accompanied by their leaders John Dudash, Karin Dudash and Marcelino Tayamen, and members of Brownie Troop 122, also from Hickam, accompanied by their leader Joyce K. Zake.

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:48 o'clock a.m.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 48), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING AN OPPORTUNITY TO STUDY THE EFFECT OF ACT 131, 1981 SESSION LAWS OF HAWAII, WHICH AMENDED SECTION 102-14, HAWAII REVISED STATUTES, RELATING TO VENDING FACILITIES IN STATE AND COUNTY BUILDINGS OPERATED BY BLIND AND VISUALLY IMPAIRED PERSONS, ON MAKA'ALA, INC., A NONPROFIT, PRIVATE CORPORATION WHICH OPERATES THE VENDING FACILITIES AT THE HONOLULU INTERNATIONAL AIRPORT TERMINAL WITH EMPLOYEES WHO ARE BLIND, VISUALLY OR OTHER PHYSICALLY HANDICAPPED PERSONS," was offered by Senator Kawasaki, and was read by the Clerk.

By unanimous consent, S.C.R. No. 48 was referred to the Committee on Transportation, then to the Committee on Human Resources.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 614) informing the Senate that Senate Concurrent Resolution No. 48 has been printed and has been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

At this time, Senator Young, chairman of the Committee on Housing and

Urban Development, requested a waiver of the 48-hour notice of a Public Hearing on H.B. No. 1621, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," and the President granted the waiver.

At this time, Senator George rose and stated:

"Mr. President, I rise on a point of personal privilege.

"Later today, Mr. President, Senators will have delivered to their offices a flyer on a movie which I think all of us might well want to watch.

"It has to do with the passage of a drunk-driving legislation in the State of California. I think the thing I'm looking forward to is that I'm told by those who saw the press preview, that there are some interesting parallels with the California Assembly and that fellow legislators will get, perhaps, some enlightenment and amusement about some of the parallels that are shown.

"Thank you, Mr. President."

Senator Chang then rose and stated:

"Mr. President, this week we celebrate National Wildlife Week and Hawaii Wildlife Week. A special feature of this year's effort is Senate Bill 459, on the back of the poster distributed to all Senators, and which discusses the native wild-life tax check-off proposal that the Senate so wisely adopted last week.

"Thank you."

Senator Hagino then rose and stated:

"Mr. President, I rise on a point of privilege.

"Mr. President, this morning, I received a letter that really upset me and I want to take some time here and I hope the rest of the Senators will be understanding.

"I won't mention this person's name, because I know that's what the person would want, but I'd just like

to read his closing paragraph. It says, 'I sincerely hope that your family is victimized by a killer. Then, we'll see if you maintain your pompous, self-righteous position against capital punishment, you bleeding heart traitor.'

"Mr. President, it's true, I really don't know what I would do if my family were victimized by a killer, but I do know that in some instances where this has happened, the family has said they have maintained the position against capital punishment. They said, 'What good would killing the killer do; it won't bring back our child.'

"Members, thank you for giving me some of your time."

Senator Carpenter then rose and stated:

"Mr. President, I rise on a point of personal privilege, perhaps in response to the remarks made by the previous speaker. I'd like to say that I, as a proponent of capital punishment don't hold truck with that kind of commentary from anybody. So, I'd just like to make that point known."

Senator Cobb then rose and stated:

"Mr. President, on a point of personal privilege.

"I think the remarks of Senator Hagino demonstrate the most ineffective and blatantly bullying type of lobbying that has been seen in a number of years. I have been a victim of it myself and I just want to say on behalf of all Senators, I think we have a right to our individual positions on any given issue, and that kind of lobbying is the most destructive kind that can ever take place, and only results in the demise of legislation which the person who so lobbies would favor."

ADJOURNMENT

At 11:55 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 22, 1983.

THIRTY-NINTH DAY

Tuesday, March 22, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Kim On Chong, former Chaplain of Mid Pacific Institute, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Thirty-Eighth Day.

At this time, Senator Cayetano made the following introduction to the members of the Senate:

"Mr. President, this hall has been graced by dignitaries from all over the world. The one we have this morning comes from virtually across the world. We all know that Botswana is the antipode of Hawaii. Our guest comes from Uganda, which is a neighbor to Botswana.

"Mr. President, he is a member of the Ugandan Parliament. He is the shadow cabinet minister for planning and economic development and chief economic policy advisor to the opposition Democratic Party. He is a participant in the International Visitor Program, sponsored by the U.S. Information Agency, and will be visiting ten states. Hawaii is the fifth on his agenda.

"His background is quite impressive. He has a master's degree from Columbia University, New York, a bachelor's degree in economics from Makerere University, Kampala, and a Certificate in Management Training Methods from the International Trade Center, Geneva.

"He is interested in gaining insights into the workings of the American economy, and he would like to observe the interplay between free enterprise and a democratic system of government and to be brought up-to-date on American and international economic development.

"Mr. President and members of the Senate, it gives me great pleasure to introduce today the Honorable Ponciano Sserumaga Mulema, member of Parliament, Kampala, Uganda.

"With Mr. Mulema is his host from the U.S. Information Agency, Mr.

Barry Wasserman.

"Mr. President, before we call a recess so Senators Young and Solomon can present a lei and a gift to Mr. Mulema, I want to bring to the members' attention that Mr. Wasserman is holding two gold caps for Mr. Mulema's sons in Uganda. Those caps say, 'Cayetano for Senator.'"

Senator Abercrombie added his remarks as follows:

"Mr. President, I arrived a bit late at the Legislature this morning and was unable to accept Senator Cayetano's invitation to meet with Mr. Mulema and I'd like to take this opportunity, while he is here, to express to him and to all the people of Uganda my profound thanks for the warm hospitality and welcome that I received in Uganda.

"Not everyone knows, and probably most people don't care, but I'm probably one of the few people who's had the privilege and pleasure of traveling the whole length of the Nile River from the Mediterranean in Alexandria all the way into Uganda.

"When I arrived in Uganda, the end of what was a very arduous trip in 1968, I thought that I had returned home to Hawaii. And I'm sure that Mr. Mulema knows whereof I speak ... the climate, the people, the atmosphere in Uganda, especially those people at Makerere University where we were domiciled. They took us in.

"We were able to stay there for some weeks, and I thought to myself then that if there was ever a place that I would like to come back to, to teach, to work, would be Uganda. And we all know the tragic circumstances that have taken place in Uganda since that time.

"I had the opportunity to be in the hall of Parliament in Kampala. It was a friendly and open place, a wonderful, wonderful place to be. The people were marvelous ... the kind of people that, in terms of hospitality, and, I might say, aloha, that we like to think that we exemplify here in the State of Hawaii.

"It's a pleasure to see Mr. Mulema here today. I hope he will take back with him to Uganda the greetings of

everyone in Hawaii, most particularly, my deep-felt thanks and gratitude and the hope that I can return one day soon to Uganda to see all of my many friends there and to take some of the hospitality from here back there again. Thank you."

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 o'clock a.m.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 215) transmitting a report prepared by the University of Hawaii, in response to Senate Resolution No. 39 (1982), requesting the University of Hawaii to monitor federal financial aid cutbacks and to assess impact on state financial aid programs, was read by the Clerk and was referred to the Committee on Higher Education.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 293), returning Senate Concurrent Resolution No. 44, which was adopted by the House of Representatives on March 21, 1983, was read by the Clerk and was placed on file.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 49), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO REVIEW THE IMPLEMENTATION AND ADMINISTRATION OF THE PILOTAGE LAW," was offered by Senators Kawasaki, Carpenter, Abercrombie, Cayetano, Fernandes Salling, A. Kobayashi, Hagino, Solomon, Aki, B. Kobayashi, Ajifu and George, and was read by the Clerk.

By unanimous consent, S.C.R. No. 49 was referred to the Committee on Consumer Protection and Commerce.

SENATE RESOLUTION

A resolution (S.R. No. 60), entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO REVIEW THE IMPLEMENTATION AND ADMINISTRATION OF THE PILOTAGE LAW," was offered by Senators Kawasaki, Carpenter, Abercrombie, Cayetano, A. Kobayashi, Hagino, Solomon, Aki, B. Kobayashi, Ajifu and George, and was read by the

Clerk.

By unanimous consent, S.R. No. 60 was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 615) informing the Senate that Senate Concurrent Resolution No. 49 and Senate Resolution No. 60 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

RE-REFERRAL OF HOUSE BILLS

The President made the following re-referral of House Bills that were received on Monday, March 14, 1983:

House Bills	Referred to:
No. 242, H.D. 1	Committee on Ways and Means
No. 243	Committee on Judiciary
No. 244, H.D. 1	Committee on Ways and Means
No. 546, H.D. 2	Committee on Ways and Means

At this time, Senator Fernandes Salling, Chairman of the Committee on Hawaiian Programs, requested a waiver of the 48-hour notice of a Public Hearing on H.B. No. 702, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," and the President granted the waiver.

At this time, Senator Cayetano rose on a point of personal privilege and stated as follows:

"Mr. President, last week when we voted to send those bills to the House, one of the bills we voted on was entitled, 'Limitation of Actions,' and during the floor debate on that bill, you may recall that some of us who are opposed to the bill warned that what it will do, if it became law, would be to cut off the public from seeking redress for injuries suffered

as a result of construction defects and design.

"Presently, the existing law holds that the statute of limitation on one seeking redress, or filing suit on any action in negligence, is two years from the date of the accident or from the time that the negligence was discovered or the person had reason to discover the negligence.

"What we did when we passed that bill was for architects, designers, contractors, people in that field of business, making the statute of limitation two years from the date of discovery but no more than six years. And, as I said earlier, some of us argued that that was not conducive to the public interest.

"This morning's newspaper brings up a real example of what I was talking about. I'm looking at the Honolulu Advertiser, Tuesday, March 22, 1983 issue, and the title of the story is: 'If at the Capitol, be ready to duck fast,' by Sandra Oshiro.

"What this story is about, Mr. President, is that a five-by-three concrete slab on the wall of this Capitol came crashing to the basement floor on Saturday night.

"No one was injured' the story says, 'but it again drew state officials' attention to a potentially dangerous condition at the Capitol.

"Throughout the building there are concrete "vener" panels stuck to the hollow-tile walls by mortar. Somehow, one of those panels became loose above a basement office doorway.'

"The story goes on to say, 'It wasn't the first time it happened.

"Earlier this year, another smaller panel fell from a wall on the Capitol's third floor. After that incident, state officials went around checking the panels, removing those that appeared to be loose and marking others that needed watching.'

"The slab that came tumbling down Saturday was not marked.'

"Then it goes on to say that 'State Comptroller Hideo Murakami called his staff and an architect into a meeting yesterday to evaluate the problem. He ordered his staff to bolt the loose panels above doorways and other high-traffic areas to the hollow-tile walls.'

"We're very thankful that nobody got hurt," Murakami said. "Because if that thing falls on someone -- good night!"

"Murakami said he does not think the building right now needs to be cleared of people, many of whom are rushing about on legislative business.'

"The State Comptroller would not say if the building specifications for the Capitol called for the panels to be secured by bolts.'

"I don't want to get into the question of liability right now," he said. "My primary concern is to make this place safe."

"The reason I think this story needs to be brought to our attention, Mr. President, is because if someone had been hurt, if one of the many children who we invite to the Capitol had been injured by that five-by-three feet concrete slab ... all you have to do is go outside and see how big that thing is ... injured or killed, the child or the child's survivors would not have any redress under the bill that we passed, because in protecting the industry by limiting the actions to six years, we have denied people, who are injured, redress for injuries they suffer as a result of design defects and defaults.

"This Capitol is fifteen years old or so. It's just fortunate, I think, that nobody got hurt.

"I hope everybody reads this story.

"I hope people will reflect on what we did with that bill because it's gone to the House. Hopefully, it will be amended or not pass. But, if it ever comes back here, I hope people will think about the ramifications of what we did with that particular bill.

"Too often, we get so involved with the lobbyists who express a particular point of view, and a very legitimate point of view, and we get to understand their concerns, their problems, but there's nobody here lobbying for the consumer, for the public, and it seems to me that's our job. That's what we have to do. And stories like this, I think, help us remember that."

Senator Cobb, in response, stated:

"Mr. President, a response is definitely in order.

"First of all, I would disagree with

the assertions of the prior speaker that no one would be liable.

"First, the state would be liable.

"Second, if the construction was not done according to the specifications of the architect then the contractor would be liable. And, I think, that was one of the legitimate questions that was raised but not answered in the previous monologue.

"Third, as far as I am concerned, there should be the protection extending not only in terms of the limitation on actions for both parties, but also relative to the changing pattern of construction standards that has existed.

"What was permissible in 1940 is no longer permissible today. What was permissible in 1960 is, in many cases, illegal today because there is an ongoing evolution of building standards.

"I would disagree with the assertion that there would be no recovery in such an event. There would either be a recovery from the contractor or those who did the construction, or there would certainly be a recovery from the state.

"Furthermore, I'm perfectly willing to see whatever amendments that the House makes to the bill, but I think the entire subject is a proper vehicle for discussion and if it does come back from the House, I hope that it does address many of the concerns

raised by the previous speaker."

Senator Cayetano then answered as follows:

"Mr. President, just a brief rejoinder.

"I don't know what bill the chairman is reading but the bill that I read would preclude any lawsuit against the contractor and the architect.

"It is silly to say that you could sue the contractor if he didn't follow the specifications of the architect. I mean, that's the point of negligence. If the specification is not followed, then it's negligence. Otherwise, if that's the case, then that bill means nothing, and maybe that's why it's been declared unconstitutional by the courts two years in a row.

"And every time it's declared unconstitutional the industry comes back here. We change the darn thing; and somebody gets hurt; they go up to the court again; the court declares it unconstitutional; they come back here; we change it for them. Maybe we should think about the public."

ADJOURNMENT

At 12:02 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 23, 1983.

FORTIETH DAY

Wednesday, March 23, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Captain Rick Wilson, Chaplain, United States Air Force, after which the Roll was called showing all Senators present with the exception of Senators Ajifu and Hagino who were excused.

The Chair announced that he had read and approved the Journal of the Thirty-Ninth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Abercrombie rose and stated:

"Mr. President, as you know, March is Youth Art Month in Hawaii, proclaimed by the Governor, and sponsored by the Hawaii Art Education Association and the National Art Education Association.

"I have the honor to have displayed in my office at the present time, a painting by Tia Pang, who is nine years old and goes to Hanhauoli School. She is here today, accompanied by her mother, Mrs. Annette Pang, and her baby brother, Todd."

Senator Fernandes Salling then introduced a group of eighth grade students from Holy Cross School in Kalaheo, Kauai, accompanied by Mr. Anthony Silva, Sister Modesta, Mrs. Frances Ferreira, Mrs. Rose Andrade, Mrs. Helene Rita, Mrs. Gloria Medeiros and Mrs. Marion Theis.

Senator Machida, on behalf of Senators Solomon, Yamasaki and himself, introduced ten students from the Upward Bound Program at Maui Community College, accompanied by staff members, Mary Ann DeCambra and Brian McKinnon.

Senator Chang, on behalf of the Senators from Central and West Oahu, introduced Cleo Torres and Ann Tsuji, who are the Student Body President and the Legislative Chairman of Leeward Community College, respectively.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 216) transmitting the Annual

Report of the Governor's Agriculture Coordinating Committee was read by the Clerk and was referred to the Committee on Agriculture.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 61 and 62) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 61), entitled: "SENATE RESOLUTION REQUESTING THE STATE TO AGGRESSIVELY PUSH FOR AN AGREEMENT WITH THE NAVY WHICH PROVIDES THAT THE STATE BE IMMEDIATELY NOTIFIED OF OCCURRENCES SUCH AS LEAKS OF RADIOACTIVE MATERIAL INTO PEARL HARBOR AND BE PERMITTED TO PERFORM INDEPENDENT MONITORING IMMEDIATELY AFTER SUCH RADIOLOGICAL ACCIDENTS OCCUR, AND ARRANGE TO PERFORM INDEPENDENT MONITORING ON A REGULAR BASIS," was offered by Senators Hagino, Young and Chang.

By unanimous consent, S.R. No. 61 was referred jointly to the Committee on Federal Relations and the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 62), entitled: "SENATE RESOLUTION REQUESTING THE DIRECTOR OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING AN OPPORTUNITY TO STUDY THE EFFECT OF ACT 131, 1981 SESSION LAWS OF HAWAII, WHICH AMENDED SECTION 102-14, HAWAII REVISED STATUTES, RELATING TO VENDING FACILITIES IN STATE AND COUNTY BUILDINGS OPERATED BY BLIND AND VISUALLY IMPAIRED PERSONS, ON MAKA'ALA, INC., A NONPROFIT, PRIVATE CORPORATION WHICH OPERATES THE VENDING FACILITIES AT THE HONOLULU INTERNATIONAL AIRPORT TERMINAL WITH EMPLOYEES WHO ARE BLIND, VISUALLY OR OTHER PHYSICALLY HANDICAPPED PERSONS," was offered by Senator Kawasaki.

By unanimous consent, S.R. No. 62 was referred jointly to the Committee on Transportation and the Committee on Human Resources.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented

a report (Stand. Com. Rep. No. 616) informing the Senate that Senate Resolution Nos. 61 and 62 and Standing Committee Report Nos. 617 and 618 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 617) recommending that House Bill No. 1179, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Economic Development

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1179, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT," passed Second Reading and was referred to the Committee on Economic Development.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 618) recommending that House Bill No. 276, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was

adopted and H.B. No. 276, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 28, 1983.

ORDER OF THE DAY

RE-REFERRAL OF HOUSE BILLS

The President made the following re-referral of House bills received on Monday, March 14, 1983:

House Bills	Referred to:
No. 324, H.D. 1	Committee on Judiciary.
No. 1285, H.D. 2	Committee on Ways and Means.

The President then stated:

"I think that the Senators here in the chambers are aware that tomorrow is the deadline for moving House bills to final committee. All chairmen are requested to have their committee reports handed in to the Clerk by 4:30 p.m. today.

"If you would do that, you would help us to avoid a logjam tomorrow."

ADJOURNMENT

At 11:52 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m. on Thursday, March 24, 1983.

FORTY-FIRST DAY

Thursday, March 24, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Robert Nagamine, Pastor of First Baptist Church of Waimanalo, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Fortieth Day.

The following introductions were then made to the members of the Senate:

Senator Kawasaki, on behalf of the Senate, introduced a group of young people who are participants in the currently on-going YMCA Youth Legislature, representing the Honolulu YMCA, the Maui YMCA, the Kona YMCA, and the Waiakea-Hilo YMCA, the YMCA Youth Governor, Peter Hong, and staff members: Beverly Bright from the Maui YMCA, and Allen Kusano from the Waiakea-Hilo YMCA.

Senator Abercrombie introduced an old and dear friend, Mr. Peter Kalua, who was sitting in the gallery observing the proceedings. Senator Abercrombie said: "You may recognize him from his many roles in Hawaii Five-O and in Magnum P.I., generally playing the villain."

Senator Machida introduced Mr. "Junior" Moniz who was also sitting in the gallery and said: "He's the manager for Hawaiian Airlines and happens to be the campaign chairperson for Senator Yamasaki."

At this time, Senator Kuroda made the following introductions and stated:

"Mr. President, ladies and gentlemen, I'd like to introduce some friends who are here with us.

"The 442nd Veterans Club is celebrating the 40th anniversary of the formation of the 442nd Infantry Regiment this week, which they have been doing annually. The veterans, their families and friends from Hawaii and the Mainland will assemble at chapter functions at various hotels and meeting places.

"In the balcony this morning are veterans and families of 'H' Company who are from the Mainland. They are accompanied by the 'H' Company veterans and families of Hawaii. (All stood to be recognized.)

"On the chamber floor, Mr. President, are Colonel Chris Keegan, U.S. Army (Retired), and several other people. I'd like to first talk about Colonel Keegan who last served in the Army at Ft. Shafter, Hawaii, and retired from that position. He now lives in San Diego. Colonel Keegan was the company commander of 'H' Company throughout the combat period of 'H' Company.

"It is with special pride that I introduce to you, the leader of the great men of 'H' Company. Colonel Keegan and Mrs. Keegan, please stand up and be recognized.

"It is with special pride that I introduce Colonel Keegan inasmuch as my brother had the privilege of serving in 'H' Company under his command. Unfortunately, my brother was one of those who was killed in action; however, with the graciousness and the support of 'H' Company and 442nd, my brother was honored in having the parade field at Ft. DeRussy named after him.

"The chairman of the 40th anniversary celebration is Mr. Walter Matsumoto who served with the Combat Engineers of the 442nd during the war. He was medically retired in 1946. He worked many years in the Public Works Department of the City and County of Honolulu and retired from that job in 1967.

"The next person I'm introducing is the present president of the 442nd Veterans Club of Hawaii, Mr. Ernest Uno. Ernie is originally from California, has lived and worked in Hawaii for 20 years as executive director of the West Oahu YMCA. Mr. and Mrs. Uno, along with the Mainland 'H' Company veterans were interned in relocation camps and suffered the tragic inconveniences and trauma of any group of people assembled in a concentration camp.

"Not only those of us Americans of Japanese ancestry, but all Americans owe people like Ernie Uno and the 442nd veterans a heartfelt thanks for making America a better place to live

by bearing up to a bad decision in 1941. At this time, Mr. President, ladies and gentlemen, I'd like to introduce to you Mr. and Mrs. Ernest Uno."

Senators Young, Solomon and Fernandes Salling presented leis to Mr. and Mrs. Uno and Mr. Matsumoto.

Senator Ajifu then introduced "good friends and strong supporters" from the Windward side, Mr. and Mrs. Elliot Kimura and their daughter.

At 11:46 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:51 o'clock a.m.

Senator Abercrombie then introduced Professor Glenn Page and stated: "Professor Page is one of the most distinguished professors from the University of Hawaii; one of the leading scholars in Korean studies; and one of the leading scholars in international political affairs."

The Chair then made the following introduction:

"Members of the Senate, I'd like, at this time, to make an introduction and ask Senator Kuroda to rise. Today is his birthday. I do want to remind him, however, that just because it's his birthday, he cannot sing."

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 217 to 254) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 217) transmitting the Capital Improvements Program (CIP) Status Report, 1982, (1982 Financial Summary), prepared by the Planning Division, Department of Planning and Economic Development with the cooperation of the Department of Accounting and General Services, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 218) transmitting the First Biennial Progress Report on Mental Health Services for Children and Youth, January 1, 1981 - December 31, 1982, prepared by the Department of Health, in accordance with Act 59-80, Section 321-176, HRS, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 219) submitting for consideration and confirmation as Chairman, Board of Agriculture, the nomination of Jack K. Suwa, term to expire December 31, 1986, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 220) submitting for consideration and confirmation as Director of Commerce and Consumer Affairs, the nomination of Mary G.F. Bitterman, Ph.D., term to expire December 1, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 221) submitting for consideration and confirmation to the Board of Dental Examiners, the nominations of George A. Kanna, D.D.S., and Lawrence K.W. Tseu, D.D.S., terms to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 222) submitting for consideration and confirmation to the Elevator Mechanics Licensing Board, the nomination of Glenn Kenji Shibata, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 223) submitting for consideration and confirmation to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, the nominations of George S. Yoshimura and Mary Ann Barnard, terms to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 224) submitting for consideration and confirmation to the Board of Medical Examiners, the nominations of Merne C. Farrell, Henry T. Oyama, M.D., and Livingston Wong, M.D., terms to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 225) submitting for consideration and confirmation to the Board of Pilot Commissioners, the nomination of Roland M. Logan, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 226) submitting for consideration and confirmation to the Real Estate Commission, the nomination of Yukio Takeya, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 227) submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nominations of Edith L.P. Bandman, term to expire December 31, 1985, and Tanya K. Shito, terms to expire December 31, 1986, was referred to the Committee on Culture and Arts.

A message from the Governor (Gov. Msg. No. 228) submitting for consideration and confirmation to the Board of Public Broadcasting, the nominations of Mary P. Steiner, Sharon Aoki and Robert T. Yokoyama, terms to expire December 31, 1988, and Willard Welsh, term to expire December 31, 1984, was referred to the Committee on Culture and Arts.

A message from the Governor (Gov. Msg. No. 229) submitting for consideration and confirmation as Chairman, Board of Land and Natural Resources, the nomination of Susumu Ono, term to expire December 31, 1986, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 230) submitting for consideration and confirmation to the Library Advisory Commission, County of Kauai, the nominations of Flora M. Shota and Sharon Bazzell, terms to expire December 31, 1986, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 231) submitting for consideration and confirmation as Chairperson, Hawaiian Homes Commission, the nomination of Georgiana Padeken, term to expire December 31, 1986, was referred to the Committee on Hawaiian Programs.

A message from the Governor (Gov. Msg. No. 232) submitting for consideration and confirmation as Director of Health, the nomination of Charles G. Clark, term to expire December 1, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 233) submitting for consideration and confirmation to the

Advisory Commission on Drug Abuse and Controlled Substances, the nominations of Solomon P. McCurdy, term to expire December 31, 1984, William J. Eggers, III, term to expire December 31, 1986, and Eugene R. Uemura, term to expire December 31, 1983, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 234) submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nominations of Patrick R. Cullen, John J. Volanti, Cullen T. Hayashida, MaBel Fujiuchi, terms to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 235) submitting for consideration and confirmation to the Hawaii County Subarea Health Planning Council, the nominations of Amy F. Hamane, Craig Y. Shikuma, M.D., and Mildred Mosher, terms to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 236) submitting for consideration and confirmation to the Maui County Subarea Health Planning Council, the nominations of Marion Leslie Hanlon, M.D., Tony Krieg, Jerry A. Walker, Jr., and Clark H. Nakamoto, terms to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 237) submitting for consideration and confirmation to the Kauai County Subarea Health Planning Council, the nominations of Glenn M. Lovejoy, Veronica Sanchez and Peter M. Kim, M.D., terms to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 238) submitting for consideration and confirmation to the County Hospital Management Advisory Committee, City and County of Honolulu Hospital System, the nomination of Martha Imogene Pelletier, term to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 239) submitting for consideration and confirmation to the Board of Regents, University of Hawaii, the nominations of Daniel M. Ishii, term to expire December 31, 1984, and Gladys Ainoa Brandt, term to expire December 31, 1986, was referred to the Committee on Higher

Education.

A message from the Governor (Gov. Msg. No. 240) submitting for consideration and confirmation to the Advisory Council for Housing and Construction Industry, the nominations of Eddy N. Nagao, term to expire December 31, 1984, and Lito R. Alcantra, term to expire December 31, 1986, was referred to the Committee on Housing and Urban Development.

A message from the Governor (Gov. Msg. No. 241) submitting for consideration and confirmation as Director of Labor and Industrial Relations, the nomination of Joshua C. Agsalud, term to expire December 1, 1986, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 242) submitting for consideration and confirmation as Director of Social Services, the nomination of Franklin Y.K. Sunn, term to expire December 1, 1986, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 243) submitting for consideration and confirmation to the Board of Trustees, Employees' Retirement System, the nomination of Peter T. Suemori, term to expire January 1, 1989, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 244) submitting for consideration and confirmation to the Board of Trustees, Hawaii Public Employees Health Fund, the nominations of Justin Wong and J.N. Musto, terms to expire December 31, 1986, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 245) submitting for consideration and consent as Chief Justice, State Supreme Court, the nomination of Herman T.F. Lum, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, was read by the Clerk and was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 246) submitting for consideration and confirmation as Attorney General, the nomination of Tany S. Hong, term to expire December 1, 1986, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 247) submitting for consideration and confirmation to the Hawaii Crime Commission, the nomination of Cora Lum, term to expire January 30, 1984, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 248) submitting for consideration and confirmation to the Commission on the Status of Women, the nominations of Lois J. Evora, term to expire December 31, 1985, Blossom Y. Tyau, Teresa M. McGraw and Alice I. Yamanishi, terms to expire December 31, 1986, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 249) submitting for consideration and confirmation to the Commission on Transportation, the nomination of Eric K. Honma, term to expire December 31, 1986, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 250) submitting for consideration and confirmation as Director of Finance, the nomination of Jensen S.L. Hee, term to expire December 1, 1986, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 251) submitting for consideration and confirmation as Director of Taxation, the nomination of George Freitas, term to expire December 1, 1986, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 252) submitting for consideration and confirmation as Comptroller, the nomination of Hideo Murakami, term to expire December 1, 1986, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 253) submitting for consideration and confirmation to the Board of Taxation Review, Fourth Taxation District, the nomination of Wallace Y. Otsuka, term to expire December 31, 1986, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 254) submitting for consideration and confirmation to the Advisory Council for Children and Youth, the nominations of Betty Ona, term to expire December 31, 1984, and Samuel J. Luna, term to expire December 31, 1986, was referred to

the Committee on Youth and Elderly Affairs.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 50), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR'S SMALL BUSINESS ADVISORY COMMITTEE TO ASSESS THE STATE'S CONTRACTING OF PUBLIC SERVICES FROM THE PRIVATE SECTOR," was offered by Senator Kawasaki, and was read by the Clerk.

By unanimous consent, S.C.R. No. 50 was referred to the Committee on Government Operations and County Relations.

SENATE RESOLUTION

A resolution (S.R. No. 63), entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR'S SMALL BUSINESS ADVISORY COMMITTEE TO ASSESS THE STATE'S CONTRACTING OF PUBLIC SERVICES FROM THE PRIVATE SECTOR," was offered by Senator Kawasaki, and was read by the Clerk.

By unanimous consent, S.R. No. 63 was referred to the Committee on Government Operations and County Relations

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 619) informing the Senate that Governor's Message Nos. 219 to 254, Senate Concurrent Resolution No. 50, Senate Resolution No. 63 and Standing Committee Report Nos. 620 to 676 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 620) recommending that House Bill No. 670, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee

was adopted and H.B. No. 670, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 621) recommending that House Bill No. 1237, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1237, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BICYCLE LICENSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 622) recommending that House Bill No. 992, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 992, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOG CONTROL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 623) recommending that House Bill No. 1090, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1090, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POOL BUYING TRANSACTIONS," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 624) recommending that House Bill No. 1119, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred

to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1119, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 625) recommending that House Bill No. 387, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 387, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 626) recommending that House Bill No. 791, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 791, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 627) recommending that House Bill No. 781, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 781, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Uwaine, for the Committee on Transportation, presented a report

(Stand. Com. Rep. No. 628) recommending that House Bill No. 330, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 330, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 629) recommending that House Bill No. 314, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 314, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 630) recommending that House Bill No. 710, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 710, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 631) recommending that House Bill No. 817, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 817, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," passed Second Reading and was

referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 632) recommending that House Bill No. 1061, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1061, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 633) recommending that House Bill No. 1231, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1231, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toguchi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 634) recommending that House Bill No. 1579, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1579, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toguchi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 635) recommending that House Bill No. 1190, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee

was adopted and H.B. No. 1190, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY FARM LOANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toguchi, for the majority of the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 636) recommending that House Bill No. 45, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and H.B. No. 45, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 637) recommending that House Bill No. 81, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 81, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 638) recommending that House Bill No. 207, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 207, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 639) recommending that

House Bill No. 275, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 275, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 28, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 640) recommending that House Bill No. 278, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 278, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 28, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 641) recommending that House Bill No. 1018, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1018, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL BANKING FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fernandes Salling, for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 642) recommending that House Bill No. 702, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 702, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fernandes Salling, for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 643) recommending that House Bill No. 236, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 236, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Fernandes Salling, for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 644) recommending that House Bill No. 1207, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1207, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS AND THE PUBLIC LAND TRUST," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 645) recommending that House Bill No. 1148, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1148, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCOVERY," passed Second Reading and was referred to the Committee on Judiciary.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 646) recommending that House Bill No. 69, H.D. 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 69, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DETERMINATION

OF DEATH," passed Second Reading and was referred to the Committee on Judiciary.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 647) recommending that House Bill No. 502, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 502, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 648) recommending that House Bill No. 1153, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1153, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Judiciary.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 649) recommending that House Bill No. 1121, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1121, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITAL ADMINISTRATION IN THE COUNTY/STATE HOSPITAL SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 650) recommending that House Bill No. 72, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee

was adopted and H.B. No. 72, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 651) recommending that House Bill No. 325, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 325, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 652) recommending that House Bill No. 531, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and H.B. No. 531, entitled: "A BILL FOR AN ACT RELATING TO CERTAIN EMPLOYEES IN THE DIVISION OF MILK CONTROL OF THE DEPARTMENT OF AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 653) recommending that House Bill No. 532, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and H.B. No. 532, entitled: "A BILL FOR AN ACT RELATING TO PLANT QUARANTINE INSPECTORS OF THE DEPARTMENT OF AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the

Committee on Human Resources, presented a report (Stand. Com. Rep. No. 654) recommending that House Bill No. 530, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and H.B. No. 530, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES IN CERTAIN EXEMPT POSITIONS IN THE PLANNING AND DEVELOPMENT OFFICE OF THE DEPARTMENT OF AGRICULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 655) recommending that House Bill No. 594, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 594, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 656) recommending that House Bill No. 34, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 34, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," passed Second Reading and was referred to the Committee on Judiciary.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 657) recommending that House Bill No. 1313, H.D. 2, S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1313, H.D. 2, S.D. 1, entitled: "A BILL

FOR AN ACT MAKING AN APPROPRIATION FOR MEDICAL ASSISTANCE REIMBURSEMENTS TO HOSPITAL-BASED NURSING FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 658) recommending that House Bill No. 809, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 809, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL AND CAREER INFORMATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 659) recommending that House Bill No. 1126, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1126, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 660) recommending that House Bill No. 1347, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1347, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 661) recommending that House Bill No. 1567, H.D. 2, S.D. 1,

pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1567, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 662) recommending that House Bill No. 780, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 780, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR GRANTS-IN-AID TO DAY HOSPITALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 663) recommending that House Bill No. 779, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 779, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR GRANTS-IN-AID TO ADULT DAY CARE CENTERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 664) recommending that House Bill No. 757, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 757, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE," passed Second Reading and was placed on

the calendar for Third Reading on Monday, March 28, 1983.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 665) recommending that House Bill No. 1621, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1621, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 666) recommending that House Bill No. 268, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 268, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE POPULATION AND PLANNING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 667) recommending that House Bill No. 1505, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1505, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 668) recommending that House Bill No. 1262, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and

carried, the report of the Committee was adopted and H.B. No. 1262, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR CONSTRUCTION OF AN ETHANOL PLANT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 669) recommending that House Bill No. 1399, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1399, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 670) recommending that House Bill No. 329, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 329, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX INCENTIVES FOR SOLAR ENERGY DEVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 671) recommending that House Bill No. 6, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 6, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 672) recommending that House Bill No. 114, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the

Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 114, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEMOPHILIA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 673) recommending that House Bill No. 1297, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and H.B. No. 1297, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 674) recommending that House Bill No. 818, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 818, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Judiciary.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 675) recommending that House Bill No. 708, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 708, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Toguchi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 676)

recommending that House Bill No. 393, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 393, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

RE-REFERRAL OF HOUSE BILLS

The President made the following re-referral of House bills that were received on Monday, March 14, 1983:

House Bills Referred to:

No. 1151, H.D. 2 Committee on Ways and Means

No. 1401, H.D. 1 Committee on Ways and Means

RE-REFERRAL OF SENATE RESOLUTION

The President re-referred Senate Resolution No. 62, which was offered on Wednesday, March 23, 1983, to the Committee on Transportation, then to the Committee on Human Resources.

At this time, Senator Young rose to speak on a point of personal privilege as follows:

"Mr. President, I rise to speak on a point of personal privilege. This is in regards to an article that appeared in this morning's paper entitled 'HECO wants to up Kahe sulfur content' and it states that 'Hawaiian Electric Company said yesterday that it has formally applied to the U.S. Environmental Protection Agency for approval to burn fuel with a higher sulfur content at its Kahe plant.' Kahe plant is in the Nanakuli-Waianae area.

"Mr. President, during the 1981 session of the Hawaii State Legislature, House Concurrent Resolution 79, H.D. 1, S.D. 1, requesting the federal government and the State of Hawaii to permit the burning of higher sulfur content fuel at Hawaiian Electric's Kahe powerplant, was adopted.

"Hawaiian Electric Company was

required to take steps to prevent air emissions containing more than a certain level of sulfur dioxide and other pollutants in accordance with the Federal Clean Air Act of 1970. Between 1977 and 1978, it was found that the amount of sulfur dioxide in the air in the Kahe area produced by Hawaiian Electric Company facilities exceeded the standards of the Federal Clean Air Act. Since that time, since 1980, Hawaiian Electric has been burning lower sulfur content fuel oil.

"In the same committee hearing on this subject, it was noted that the residents of Hawaii have the highest rate of respiratory illness across the nation. Most of these people live in the Nanakuli-Waianae area.

"This article further states that 'The utility wants to burn 2 percent sulfur fuel rather than the 0.5 percent sulfur fuel it now burns.'

"HECO's application to the EPA is based on a full year of air-quality monitoring at seven locations near the Kahe plant.

"The data indicate there is no doubt that medium sulfur fuel may be burned at Kahe without violating national air quality standards, HECO said.

"HECO said low-sulfur fuel will continue to be used at its Honolulu and Waiiau plants.'

"Mr. President, if HECO believes that burning 2 percent sulfur is not hazardous to the health of our residents, why not at Honolulu and Waiiau? Why only at Kahe?

"Thank you."

Senator Henderson responded: "Mr. President, I think, in regards to the remarks of the previous speaker that they have monitored the emissions from that plant.

"The stack design at that plant is different than the stack design at Waiiau and Honolulu as far as the height and the way the engineering was done, and that there's no question that, based on the results of one year of monitoring, that the emissions at that plant are way under the federal standards. Thank you."

Senator Young added: "Mr. President, many times, in our area, this does not stop the emission from going towards the Makakilo-Ewa Beach area because of the southerly winds or the Kona winds, as we call it."

Senator Henderson then said: "Mr. President, one of the monitoring stations was there and it met the standards."

At 12:00 o'clock noon, the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:01 o'clock p.m.

The Chair, at this time, made the following observation:

"The Chair at this time would like to take this opportunity to thank all the chairmen for getting the bills to

move laterally so expeditiously. We really are not backed up and the atmosphere is very relaxed unlike some previous lateral movement days in the Senate.

"The printshop and everybody else on the staff have done an excellent job and we appreciate it."

ADJOURNMENT

At 12:04 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, March 28, 1983.

FORTY-SECOND DAY

Monday, March 28, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by Father Robert Connor, United States Navy, Barbers Point, after which the Roll was called showing all Senators present with the exception of Senator Cayetano who was excused.

The Chair announced that he had read and approved the Journal of the Forty-First Day.

At this time, the following introductions were made to the members of the Senate:

Senator Toguchi introduced Mrs. Gary Goeas, Mrs. Mary Goeas and Mr. Daniel Goeas, and their guests, Mrs. Joyce Lee and Mrs. Donna Bowers of Oregon, and Mrs. Sharon Wheeler and Mrs. Shirley Gott of Missouri.

Senator Chang then introduced the Executive Director of Common Cause, Mr. Ian Lind.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 255 to 270) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 255) advising the Senate of the withdrawal of the nomination to the Board of Trustees for the Deferred Compensation Plan, dated February 25, 1983, of Valri Lei Kunimoto, term to expire October 27, 1986, under Gov. Msg. No. 199, was placed on file.

In compliance with Gov. Msg. No. 255, the nomination listed under Gov. Msg. No. 199 was returned.

A message from the Governor (Gov. Msg. No. 256) transmitting a report prepared by the Department of Planning and Economic Development, entitled: "Hawaii Coastal Zone Management Program, 1982 Annual Report," February 1983, was referred jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 257) submitting for consid-

eration and confirmation to the Advisory Committee on Pesticides, the nominations of the following:

Charles Y. Nagamine, term to expire December 31, 1986;

Darryl K.H. Choy, term to expire December 31, 1984; and

James K. Ikeda, term to expire December 31, 1986,

was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 258) submitting for consideration and confirmation to the Board of Barbers, the nomination of Victor J. Elizalde, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 259) submitting for consideration and confirmation to the Board of Chiropractic Examiners, the nomination of Nathalie Davies Tucker, D.C., term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 260) submitting for consideration and confirmation to the Board of Nursing, the nominations of Adele D.S. Mitchell, Dorothy Ann Park and Violet L. Nakamura, terms to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 261) submitting for consideration and confirmation to the Board of Dispensing Opticians, the nominations of the following:

Lorraine Shirai, term to expire December 31, 1984; and

Ted H. Yamada, term to expire December 31, 1986,

was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 262) submitting for consideration and confirmation to the Board of Osteopathic Examiners, the nomination of Rod G. Bjordahl, D.O., term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 263) submitting for consideration and confirmation to the Board of Speech Pathology and Audiology, the nomination of Stella Satake, term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 264) submitting for consideration and confirmation to the Library Advisory Commission, County of Maui, the nominations of the following:

Edwin T. Silva, term to expire December 31, 1986;

Penny Lou Endo, term to expire December 31, 1986;

Kerry Yukio Ogawa, term to expire December 31, 1983; and

Harriet Anne Borton, term to expire December 31, 1986,

was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 265) submitting for consideration and confirmation to the Board of Health, the nominations of the following:

Roger B. Brault, M.D., term to expire December 31, 1985;

Ralph M. Beddow, M.D., term to expire December 31, 1986;

Patricia Ann Roberti, term to expire December 31, 1986; and

Rosalina S. Domondon, term to expire December 31, 1986,

was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 266) submitting for consideration and confirmation to the West Honolulu Subarea Health Planning Council, the nominations of Arvid Tadao Youngquist and Nora L. Tejero, terms to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 267) submitting for consideration and confirmation to the Central Oahu Subarea Health Planning Council, the nomination of Merl W. Hawthorne, term to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 268) submitting for consideration and confirmation to the Board of Trustees for Deferred Compensation Plan, the nominations of the following:

Robert E. Cooling, term to expire December 31, 1986; and

Valri Lei Kunimoto, term to expire December 31, 1985,

was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 269) submitting for consideration and confirmation to the Policy Advisory Board for Elderly Affairs, the nominations of the following:

Leonard E. Mason, term to expire December 31, 1983;

Samuel S. Luke, term to expire December 31, 1986;

Felicidad D. Habon, term to expire December 31, 1986;

Shizuko Mukaida, term to expire December 31, 1983;

Tuala Sevaaetasi, term to expire December 31, 1986;

Helen Wiegert, term to expire December 31, 1986;

Edward T. Yamada, term to expire December 31, 1986;

Nora M. Kurosu, term to expire December 31, 1986;

Yoshiaki Fujitani, term to expire December 31, 1986; and

Colette V. Browne, term to expire December 31, 1984,

was referred to the Committee on Youth and Elderly Affairs.

A message from the Governor (Gov. Msg. No. 270) transmitting the 1982 Annual Report of the Natural Energy Laboratory of Hawaii, submitted pursuant to Section 227-3 (9), HRS, was referred to the Committee on Economic Development.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 294 to 306), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 294) transmitting House Concurrent Resolution No. 24, H.D. 1, which was adopted by the House of Representatives on March 23, 1983, was placed on file.

By unanimous consent, H.C.R. No. 24, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING STATEWIDE FARM ORGANIZATIONS TO PROVIDE ADVICE AND ASSISTANCE TO EXISTING AND NEW COOPERATIVES AND COMMODITY ASSOCIATIONS," was referred to the Committee on Agriculture.

A communication from the House (Hse. Com. No. 295) transmitting House Concurrent Resolution No. 2, H.D. 1, which was adopted by the House of Representatives on March 23, 1983, was placed on file.

By unanimous consent, H.C.R. No. 2, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE HIGHER EDUCATION FUNCTIONAL PLAN," was referred to the Committee on Higher Education, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 296) transmitting House Concurrent Resolution No. 3, H.D. 1, which was adopted by the House of Representatives on March 23, 1983, was placed on file.

By unanimous consent, H.C.R. No. 3, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE TRANSPORTATION FUNCTIONAL PLAN," was referred to the Committee on Transportation, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 297) transmitting House Concurrent Resolution No. 4, H.D. 1, which was adopted by the House of Representatives on March 23, 1983, was placed on file.

By unanimous consent, H.C.R. No. 4, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE HOUSING FUNCTIONAL PLAN," was referred to the Committee on Housing and Urban Development, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 298) transmitting House Concurrent Resolution No. 5,

H.D. 1, which was adopted by the House of Representatives on March 23, 1983, was placed on file.

By unanimous consent, H.C.R. No. 5, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE ENERGY FUNCTIONAL PLAN," was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 299) transmitting House Concurrent Resolution No. 6, H.D. 1, which was adopted by the House of Representatives on March 23, 1983, was placed on file.

By unanimous consent, H.C.R. No. 6, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE TOURISM FUNCTIONAL PLAN," was referred to the Committee on Tourism, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 300) transmitting House Concurrent Resolution No. 7, H.D. 1, which was adopted by the House of Representatives on March 23, 1983, was placed on file.

By unanimous consent, H.C.R. No. 7, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE WATER RESOURCES DEVELOPMENT FUNCTIONAL PLAN," was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 301) transmitting House Concurrent Resolution No. 8, H.D. 1, which was adopted by the House of Representatives on March 23, 1983, was placed on file.

By unanimous consent, H.C.R. No. 8, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE HEALTH FUNCTIONAL PLAN," was referred to the Committee on Health, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 302) transmitting House Concurrent Resolution No. 9, H.D. 1, which was adopted by the House of Representatives on March 23, 1983, was placed on file.

By unanimous consent, H.C.R. No.

9, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE EDUCATION FUNCTIONAL PLAN," was referred to the Committee on Education, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 303) transmitting House Concurrent Resolution No. 10, H.D. 1, which was adopted by the House of Representatives on March 23, 1983, was placed on file.

By unanimous consent, H.C.R. No. 10, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE AGRICULTURE FUNCTIONAL PLAN," was referred to the Committee on Agriculture, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 304) transmitting House Concurrent Resolution No. 11, H.D. 1, which was adopted by the House of Representatives on March 23, 1983, was placed on file.

By unanimous consent, H.C.R. No. 11, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE HISTORIC PRESERVATION FUNCTIONAL PLAN," was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 305) transmitting House Concurrent Resolution No. 12, H.D. 1, which was adopted by the House of Representatives on March 23, 1983, was placed on file.

By unanimous consent, H.C.R. No. 12, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE CONSERVATION LANDS FUNCTIONAL PLAN," was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 306) transmitting House Concurrent Resolution No. 13, H.D. 1, which was adopted by the House of Representatives on March 23, 1983, was placed on file.

By unanimous consent, H.C.R. No. 13, H.D. 1, entitled: "HOUSE CON-

CURRENT RESOLUTION RELATING TO THE STATE RECREATION FUNCTIONAL PLAN," was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Economic Development, then to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 51 and 52) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 51), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INTERIM STUDY ON DEFAULTS ON AGREEMENTS OF SALE," was offered by Senators Cobb, B. Kobayashi, Carpenter, Holt, Toguchi, Uwaine, Soares, Henderson and Cayetano.

By unanimous consent, S.C.R. No. 51 was referred to the Committee on Consumer Protection and Commerce.

A concurrent resolution (S.C.R. No. 52), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT AMENDMENTS TO HAWAII'S WORKER'S COMPENSATION LAWS BE RECOMMENDED TO MODERATE RAPIDLY RISING WORKERS' COMPENSATION PREMIUM COSTS," was offered by Senators Cobb, Chang, B. Kobayashi, Carpenter, Cayetano, Henderson and Soares.

By unanimous consent, S.C.R. No. 52 was referred jointly to the Committee on Consumer Protection and Commerce and the Committee on Human Resources.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 64 to 67) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 64), entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF LAWS BASED ON AGE," was offered by Senators Carpenter, A. Kobayashi, George, Machida, Holt, Abercrombie, Cobb, Kawasaki, Uwaine, Henderson, Cayetano, Fernandes Salling, Yamasaki, Wong, Hagino, Chang, Young, Ajifu, Toguchi, Aki, Soares, Kuroda, Solomon, Mizuguchi and B. Kobayashi.

By unanimous consent, S.R. No. 64 was referred to the Committee on

Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 65), entitled: "SENATE RESOLUTION REQUESTING FURTHER ACTION ON THE DESIGNATION OF A STATE NATURAL RECREATIONAL AND HISTORIC PARK AT KAPUA, HONOLULU, OKOPE, KAULANAMAUNA, AND MANUKA DISTRICTS IN SOUTH KONA AND KA'U, ISLAND OF HAWAII," was offered by Senators Carpenter, Henderson and Solomon.

By unanimous consent, S.R. No. 65 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 66), entitled: "SENATE RESOLUTION REQUESTING AN INTERIM STUDY ON DEFAULTS ON AGREEMENTS OF SALE," was offered by Senators Cobb, Chang, B. Kobayashi, Carpenter, Holt, Yamasaki, Toguchi, Uwaine, Soares, Henderson and Cayetano.

By unanimous consent, S.R. No. 66 was referred to the Committee on Consumer Protection and Commerce.

A resolution (S.R. No. 67), entitled: "SENATE RESOLUTION REQUESTING THAT AMENDMENTS TO HAWAII'S WORKER'S COMPENSATION LAWS BE RECOMMENDED TO MODERATE RAPIDLY RISING WORKERS' COMPENSATION PREMIUM COSTS," was offered by Senators Cobb, Chang, B. Kobayashi, Yamasaki, Carpenter, Cayetano, Henderson, Soares and Toguchi.

By unanimous consent, S.R. No. 67 was referred jointly to the Committee on Consumer Protection and Commerce and the Committee on Human Resources.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 677) informing the Senate that Governor's Message Nos. 257 to 269, Senate Concurrent Resolution Nos. 51 and 52, Senate Resolution Nos. 64 to 67 and Standing Committee Report Nos. 678 to 682 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Abercrombie, for the

Committee on Education, presented a report (Stand. Com. Rep. No. 678) recommending that Senate Resolution No. 22 be adopted.

On motion by Senator Mizuguchi, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.R. No. 22, entitled: "SENATE RESOLUTION ENCOURAGING CITIZENSHIP AND ETHICS TRAINING IN THE SCHOOLS," was adopted.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 679) recommending that the Senate advise and consent to the nominations of the following:

Frank K. Hamada to the Board of Taxation Review, First Taxation District, in accordance with Governor's Message No. 204;

Herbert A.B. Chang to the Board of Taxation Review, First Taxation District, in accordance with Governor's Message No. 205;

Victor I. Endo to the Board of Taxation Review, Second Taxation District, in accordance with Governor's Message No. 206; and

Brian J. Ikawa to the Board of Taxation Review, Third Taxation District, in accordance with Governor's Message No. 207.

By unanimous consent, action on Stand. Com. Rep. No. 679 and Gov. Msg. Nos. 204, 205, 206 and 207 was deferred until Tuesday, March 29, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 680) recommending that the Senate advise and consent to the nomination of Eduardo Malapit to the Labor and Industrial Relations Appeals Board, in accordance with Governor's Message No. 157.

By unanimous consent, action on Stand. Com. Rep. No. 680 and Gov. Msg. No. 157 was deferred until Tuesday, March 29, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 681) recommending that House Bill No. 658, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, sec-

ended by Senator Chang and carried, the report of the Committee was adopted and H.B. No. 658, entitled: "A BILL FOR AN ACT RELATING TO ENGINEERS, ARCHITECTS, AND SURVEYORS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 30, 1983.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 682) recommending that the Senate advise and consent to the nominations of the following:

Ramona H. Hao to the Hawaii Education Council, in accordance with Governor's Message No. 113;

Grace Kekaulike Basque and Katherine S. Hanley to the Library Advisory Commission, County of Hawaii, in accordance with Governor's Message No. 114; and

By unanimous consent, action on Stand. Com. Rep. No. 682 and Gov. Msg. Nos. 113 and 114 was deferred until Tuesday, March 29, 1983.

ORDER OF THE DAY

THIRD READING

House Bill No. 276, H.D. 1:

By unanimous consent, action on H.B. No. 276, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, March 29, 1983.

House Bill No. 275:

By unanimous consent, action on H.B. No. 275, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, March 29, 1983.

House Bill No. 278, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. NO. 278, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, March 29, 1983.

House Bill No. 757, S.D. 1:

By unanimous consent, action on H.B. No. 757, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE," was deferred until Tuesday, March 29, 1983.

RE-REFERRAL OF GOVERNOR'S MESSAGE

The President re-referred Governor's Message No. 218, received on March 24, 1983, jointly to the Committee on Health and the Committee on Youth and Elderly Affairs.

At this time, Senator Abercrombie, for the Committee on Economic Development, requested a waiver of the 48-hour notice of a Public Hearing on House Bill No. 703, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATE ENERGY," and the President granted the waiver.

Senator Uwayne then rose and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, on Saturday, I was very disturbed when I went home and I saw the news, both on three television stations as well as in the daily newspapers. Actually, I shouldn't have been disturbed because I was there when this incident was occurring.

"What I'm referring to, Mr. President, is that in front of the Ways and Means Committee Room, there was a press conference held by Common Cause and the reference was made that decisions were being made behind closed doors. In fact, on several occasions in the TV broadcast the news reporter walked up to the door and shook the door to emphasize the fact that the doors were locked. The thing that he failed to mention was that he was shaking the wrong door!

"Apparently, Mr. President, the point that I'm trying to make is that I'd like to commend Senator Yamasaki, who is the chairman of Ways and Means, for the way that he's been conducting the briefing meeting as well as the public hearings and the decision-making process of the budget.

"In particular, what I'm making reference to is that on Thursday, I think Senator Yamasaki was approached by the president of Common Cause and in regards to the fact that there were some questionable facts, maybe certain things were going to be decided on the days of Friday, Saturday and Sunday, which at that time Common Cause had some concerns that maybe this meeting should be

opened up.

"I think it was expressed by Senator Yamasaki, as chairman of the committee, to this individual who represented Common Cause that he should go back to his board of directors and have a thorough discussion on the matter and then having come to a decision with his board of directors of Common Cause, to come back to Senator Yamasaki and they would have a discussion of whether or not the meeting should be opened. This was on Thursday.

"Apparently, the next thing that happened was, on Saturday, there was a press conference being held. Fortunately, I was out there and I saw this occurring and I was approached by one of the newscasters to ask Senator Yamasaki if he would like to make a statement.

"Senator Yamasaki proceeded to make a statement, but apparently, I think that it was like how most things are in the news, not everything can be shown on the air and apparently, they just showed certain parts of statements!

"I think what Senator Yamasaki expressed at that point was that there was no decision-making being made behind closed doors. And, I resent the fact that this individual representing Common Cause made that statement because I was part of that group, in that group, and I can say very honestly, right now that as far as in that room, basically what we were doing was getting briefed by the Ways and Means staff as well as the various different subject matter committees as far as what is in the budget recommendations -- both subject matter as well as Ways and Means staff. There were no decisions being made!

"Basically, as a Senator and as the chairman of Transportation, I may be very familiar with the transportation budget. However, unfortunately, I cannot be an expert on all different areas. So, it was a good opportunity for the staff of Ways and Means, which I also commend for doing their homework and explaining to me the various items in various subject matter committees.

"On those three days, there were no decisions made. Basically, and fortunately for the Senators like myself, I think now, on Monday, I'm very familiar with the budget, and I think it was shown this morning that

when the Ways and Means Committee met at 9:00 o'clock there was very thorough discussion and decision-making being made in front of the public.

"I think that it can be shown on the record that between 9:00 o'clock and 11:00 o'clock, when we took a recess, of a document that is about a thousand pages long, they just covered up to page 30. And there was thorough discussion and decision-making being made in front of the public.

"I think it was really unfortunate that this individual took advantage of the situation by not communicating back to Senator Yamasaki, and took advantage of Senator Yamasaki's not being able to explain very thoroughly what was being discussed behind the doors on Friday, Saturday and Sunday, which was just a briefing.

"At this time, I'd like to commend Senator Yamasaki and the members of his staff on a job well done as far as providing us with the basic information so that we can have intelligent decision-making this afternoon.

"I think the end-product will show that the Senate is very open. We do follow our rules and we do follow the laws that we pass pertaining to sunshine.

"In closing, I just hope that Common Cause, if they have any further questions or things that they'd like to discuss, I would at least expect them to talk to Senator Yamasaki, and if they're going to make a decision, at least have the courtesy of coming back to Senator Yamasaki prior to calling a press conference.

"Thank you."

Senator Wong then rose and stated:

"Mr. Vice-President, I rise on a point of personal privilege.

"Mr. Vice-President, with reference to the previous speaker, I just want to make several comments. One is that I want to make it very clear to the members of the Senate and the general public that Senator Yamasaki called me on the question of whether or not the committee briefing was an open meeting because Common Cause wanted to sit in. I arrived upstairs on Saturday and made the decision that Common Cause should not be allowed to sit in on the briefing by

the Senate.

"At that time - via the media, all three television stations - I articulated three positions. First, that the meeting was not a meeting but a briefing; second, that decisions would be made at 9:00 a.m. on Monday morning in Senate Conference Room 1; and third, that when it came to a matter of discussing strategy between the House and the Senate, I did not feel that this should be opened to the public (and thus to the House) because, as you and I know, the ball game is really in the conference committee where the two sides work out their differences.

"During the past three years, the conference committee has been an open conference committee with every single item in every program area being discussed in open discussion. I feel very comfortable, Mr. Vice-President, with my decision. I want to make it clear, for the record, that Senator Yamasaki asked me for an opinion and I told him, 'The answer is, "I'm sorry, at this time, no, because it is a closed meeting in the sense that it is for planning strategy. Also in the process of briefing the Senators the question of personalities always arise in the course of discussion on various budgetary item.'" And, as you know, Mr. Vice-President, we have a few problems with some of the members of the cabinet here before this Senate for confirmation. I don't think that's in the best interest of the individuals who are being discussed for some of those personal remarks to be made public nor do I think that the public interest would really be served.

"Therefore, as President of the Senate, I made my ruling. Perhaps, Mr. Vice-President, this may be a good time to consider where we can separate the issues that are being discussed behind closed doors versus those that are in open hearings, because evidently, there is no clear delineation of what is really a closed meeting with secret decision-making as opposed to the budget-making process as we have it in operation today, which is in an open conference committee meeting. I think the line is very, very gray in the particular area of whether one can say that all discussions leading up to the conference are decision-making.

"But perhaps, if Common Cause feels very strongly about the issue, they should seek some kind of adjudication by our judicial system as to

what constitutes a meeting or a decision-making meeting. But, as long as I am President of the Senate, I will use the best judgment at my command to make these kinds of decisions. I do not wish to cast any disparity on Senator Yamasaki.

"In fact, I happened to overhear on the media Mr. Lind saying that he thought that Senator Yamasaki was one of the fairest, the most open chairman that they have dealt with over the years. And I think any implication that Senator Yamasaki was intentionally trying to keep people away from a closed, decision-making meeting is, as far as I'm concerned, very irresponsible. To all of you who've known Senator Yamasaki, you know the kind of guy he is.

"Thank you very much, Mr. Vice-President."

Senator Soares then rose and stated:

"Mr. President, I would be remiss if I didn't rise on a point of personal privilege, because I too, was at the hearing on Friday and Saturday, and I too am an admirer of the chairman.

"The Senate President was there. However, for the record, (and I'm sure the other members will vouch for what I say) all we had was a visitor who wanted to come in and make some noise. My recommendation was, let the guy in, put him in the corner, and keep on going with what we were discussing, and if my guess was right, he would leave within an hour or an hour-and-a-half because we were just briefing ourselves on the budget.

"Senator Yamasaki did a heck of a good job, in my opinion, of trying to make things as clear as possible. I had predicted that if the lobbyist didn't come in Friday, he'd be here Saturday with the TV cameras and there'd be a lot of noise about the fact that we had had a closed meeting.

"The committee did discuss allowing the person in. It was judged that we were going through a briefing session only. The chairman talked to him; the Senate President talked to him. I was there during the entire two days, and I should correct Senator Uwayne because it was Friday that the lobbyist came, not Thursday. My feeling was that there was nothing to be gained or lost from letting him in because we were not making decisions! This morning's session

should prove that: we made decisions just this morning on the early part of the budget.

"The committee worked long and hard, trying to be as fair as possible in discussions over the weekend. I again support the Senate President and the chairman for the way they handled the situation."

Senator Cobb then rose and stated:

"One additional point, Mr. President, in reference to the remarks of the Senate President, that I think that it should be determined, if necessary, by litigation that a

strategy session or briefing is not decision-making. If it is to be so interpreted, the Constitution needs to be amended. Otherwise, I would think that the actions of the Ways and Means Committee are entirely in accordance with the provisions of the sunshine law.

"Thank you."

ADJOURNMENT

At 12:05 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 29, 1983.

FORTY-THIRD DAY

Tuesday, March 29, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:45 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Donald Asman, Pastor of Manoa Valley Church, Honolulu, after which the Roll was called showing all Senators present with the exception of Senators Kawasaki, Yamasaki and Young who were excused.

The Chair announced that he had read and approved the Journal of the Forty-Second Day.

The following introductions were then made to the members of the Senate:

Senator Kuroda introduced Karen and Charles Maier, visitors from Sacramento, California, who were sitting in the gallery. Senator Kuroda informed the Senators that Karen Maier is secretary to the Governor of California and that her mother and father were both members of the California State Senate. He added that Charles Maier was formerly the assistant chief sergeant-at-arms of the California State Assembly.

Senator Machida introduced a visitor from Maui, the Honorable Elizabeth Lee Liu, and said that "she is one of the outstanding council members on the Maui County Council."

Senator Ajifu introduced a former colleague from the House, United States Marshall Faith Evans.

Senator Chang then introduced the 1983 Nisei Week Queen and her court who are here from Los Angeles, California, to participate in the Honolulu Cherry Blossom Festival. The young ladies are as follows: Queen Janet Barnes; First Princess Deena Hard; Gayle Kirio, Jeanne Mitoma, Lana Frick, Yuri Shimamoto, and Miss Tomodachi (congeniality), Dianne Osora.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 53), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO STUDY AND EVALUATE THE PROCEDURES USED BY THE STATE OF

HAWAII TO AWARD NON-BID CONTRACTS," was offered by Senator Abercrombie, and was read by the Clerk.

By unanimous consent, S.R. No. 53 was referred jointly to the Committee on Government Operations and County Relations and the Committee on Ways and Means.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 68 and 69) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 68), entitled: "SENATE RESOLUTION EXPRESSING OPPOSITION TO AMERICAN MILITARY ASSISTANCE, INVOLVEMENT AND COVERT ACTIONS IN EL SALVADOR AND THE REST OF CENTRAL AMERICA," was offered by Senators Abercrombie, Cayetano, Hagino and Kawasaki.

By unanimous consent, S.R. No. 68 was referred to the Committee on Federal Programs.

A resolution (S.R. No. 69), entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO STUDY AND EVALUATE THE PROCEDURES USED BY THE STATE OF HAWAII TO AWARD NON-BID CONTRACTS," was offered by Senator Abercrombie.

By unanimous consent, S.R. No. 69 was referred jointly to the Committee on Government Operations and County Relations and the Committee on Ways and Means, then to the Committee on Legislative Management.

STANDING COMMITTEE REPORT

Senator Cobb, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 683) informing the Senate that Senate Concurrent Resolution No. 53 and Senate Resolution Nos. 68 and 69 have been printed and have been distributed to the members of the Senate.

On motion by Senator Cobb, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

MATTERS DEFERRED
FROM MARCH 28, 1983

THIRD READING

House Bill No. 276, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 276, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Kawasaki, Yamasaki and Young).

House Bill No. 275:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 275, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Kawasaki, Yamasaki and Young).

House Bill No. 278, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 278, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Kawasaki, Yamasaki and Young).

House Bill No. 757, S.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 757, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, (Kawasaki, Yamasaki and Young).

ADVISE AND CONSENT

Standing Committee Report No. 679 (Gov. Msg. Nos. 204, 205, 206 and 207):

Senator Cobb moved that Stand. Com. Rep. No. 679 be received and placed on file, seconded by Senator

Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of the following:

Frank K. Hamada to the Board of Taxation Review, First Taxation District, term to expire December 31, 1986;

Herbert A.B. Chang to the Board of Taxation Review, First Taxation District, term to expire December 31, 1986;

Victor I. Endo to the Board of Taxation Review, Second Taxation District, term to expire December 31, 1986; and

Brian J. Ikawa to the Board of Taxation Review, Third Taxation District, term to expire December 31, 1986,

seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Kawasaki, Yamasaki and Young).

Standing Committee Report No. 680 (Gov. Msg. No. 157):

Senator Cobb moved that Stand. Com. Rep. No. 680 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Eduardo E. Malapit to the Labor and Industrial Relations Appeals Board, term to expire December 31, 1986, seconded by Senator Soares.

At this time, Senator Mizuguchi rose to speak in support of the nomination as follows:

"Mr. President, I rise to speak in favor of the nomination of Eduardo Malapit as a member to the State Labor and Industrial Relations Appeals Board.

"Mr. President, Mr. Malapit was born in Hanapepe, Kauai; son of Filipino immigrants, Mr. and Mrs. Eusebio Malapit. After graduation from Waimea High School on Kauai, the University of Hawaii at Manoa, and the University of Notre Dame Law School, he returned to the Island of Kauai and has had a long and distinguished career as a public

servant.

"Mr. Malapit worked as a deputy county prosecutor; he has been a member of the Kauai County Council; and for the last eight years he has been the Honorable Mayor of the County of Kauai.

"In my years of knowing Eduardo Malapit, I've known him to be honest, and trustworthy, and a man of his convictions.

"Eduardo Malapit has a real and genuine concern for all of the people of the State of Hawaii, and I'm positive he will continue to serve with honor and distinction as a member of the State Labor and Industrial Relations Appeals Board.

"Mr. President, I thank you for the opportunity to speak on his behalf. I urge all members to vote for his confirmation."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, one. Excused, 3 (Kawasaki, Yamasaki and Young).

Standing Committee Report No. 682 (Gov. Msg. Nos. 113 and 114):

Senator Cobb moved that Stand. Com. Rep. No. 682 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of the following:

Ramona H. Hao to the Hawaii Education Council, term to expire December 31, 1986; and

Grace Kekaulike Basque and Katherine S. Hanley to the Library Advisory Commission, County of Hawaii, terms to expire December 31, 1986,

seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Kawasaki, Yamasaki and Young).

RE-REFERRAL OF HOUSE BILL

The President re-referred House Bill No. 1126, H.D. 1, S.D. 1, which passed Second Reading on March 24, 1983, to the Committee on Judiciary.

At this time, Senator Cobb, chairman of the Committee on Consumer Protection and Commerce, requested a waiver of the 48-hour notice of a Public Hearing on the following resolutions:

S.C.R. No. 51, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INTERIM STUDY ON DEFAULTS ON AGREEMENTS OF SALE;" and

S.R. No. 66, entitled: "SENATE RESOLUTION REQUESTING AN INTERIM STUDY ON DEFAULTS ON AGREEMENTS OF SALE,"

and the President granted the waiver.

At 11:59 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:11 o'clock p.m.

Senator Aki, at this time, introduced "a very close friend and strong campaign supporter," Mr. Adrian Silva, and his mother, Mrs. Frances Brolin, who is visiting from Eureka, Kansas.

ADJOURNMENT

At 12:14 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 30, 1983.

FORTY-FOURTH DAY

Wednesday, March 30, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Captain Lee M. Thompson of the United States Air Force, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Forty-Third Day.

At this time, the following introductions were made to the members of the Senate:

Senator A. Kobayashi rose and stated:

"Mr. President, I'd like to introduce a former classmate, along with Olan Carpenter, Mr. Finis Jhung.

"Finis Jhung is the founder and the artistic director of the Chamber Ballet, USA, and dance master of the Finis Jhung Studio, all based in New York City. Finis danced with the Joffrey Ballet, the Harkness Ballet and the San Francisco Ballet. He is a well respected dancer and instructor and is in Hawaii to conduct dance classes for other dance instructors and advanced students."

Senator Young then introduced visitors from New York City, Lola and Joe Casal, accompanied by their daughter Lili.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 54 and 55) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 54), entitled: "SENATE CONCURRENT RESOLUTION CONCERNING THE TUNA CANNERY OPERATION," was offered by Senators Cayetano, Abercrombie, Fernandes Salling, Kawasaki, Holt, Chang, Mizuguchi, Ajifu, Solomon, Cobb, Toguchi, Carpenter and George.

By unanimous consent, S.C.R. No. 54 was referred to the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 55), entitled: "SENATE CON-

CURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY SENTIMENTS REGARDING THE POSSIBLE DEVELOPMENT OF SUBMERGED LANDS FOR CERTAIN ENUMERATED REASONS," was offered by Senator Abercrombie.

By unanimous consent, S.C.R. No. 55 was referred to the Committee on Economic Development.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 70 and 71) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 70), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE ADVANTAGES AND DISADVANTAGES TO THE COMMUNITY COLLEGES AS A RESULT OF EXISTING WITHIN THE UNIVERSITY OF HAWAII SYSTEM," was offered by Senator Abercrombie.

By unanimous consent, S.R. No. 70 was referred to the Committee on Higher Education, then to the Committee on Legislative Management.

A resolution (S.R. No. 71), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY SENTIMENTS REGARDING THE POSSIBLE DEVELOPMENT OF SUBMERGED LANDS FOR CERTAIN ENUMERATED REASONS," was offered by Senator Abercrombie.

By unanimous consent, S.R. No. 71 was referred to the Committee on Economic Development.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 684) informing the Senate that Senate Concurrent Resolution Nos. 54 and 55, Senate Resolution Nos. 70 and 71, and Standing Committee Report Nos. 685 to 691 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Cobb, for the Committee on

Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 685) recommending that House Bill No. 876, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and H.B. No. 876, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 686) recommending that House Bill No. 1580, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and H.B. No. 1580, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 687) recommending that the Senate advise and consent to the nominations of the following:

Henry N. Thompson, as Administrator of the State Health Planning and Development Agency, in accordance with Governor's Message No. 116;

Joyce Kimi Horikawa, to the State Planning Council on Developmental Disabilities, in accordance with Governor's Message No. 117;

Georgia E. Morikawa, Jeffrey David Nunn and Judith Doktor, to the Commission on the Handicapped, in accordance with Governor's Message No. 118;

Vincent H.S. Lee, to the Commission on the Handicapped, in accordance with Governor's Message No. 191;

William Blanchard and Barbara K. Ideta, to the State Emergency Medical Services Advisory Committee, in accordance with Governor's Message No. 119;

Peter Halford, M.D., Douglas M. Rogers, M.D. and James S. Maeda, to the State Emergency Medical Services Advisory Committee, in accordance with Governor's Message No. 192;

James Miyahara, Ph.D. and Junedale U. Hashimoto, to the Advisory Commission on Drug Abuse and Controlled Substances, in accordance with Governor's Message No. 120;

Vernon Y.N. Chock and Yoshi T. Koga, to the East Honolulu Subarea Health Planning Council, in accordance with Governor's Message No. 121;

William R. Flanders, to the East Honolulu Subarea Health Planning Council, in accordance with Governor's Message No. 122;

Donna C. Kekumu, to the West Honolulu Subarea Health Planning Council, in accordance with Governor's Message No. 123;

Wallace T. Hirai, to the Central Oahu Subarea Health Planning Council, in accordance with Governor's Message No. 124;

June I. Takenaka, to the Windward Oahu Subarea Health Planning Council, in accordance with Governor's Message No. 125;

Reynold Mishina and Beverly Jean Withington, to the Hawaii County Subarea Health Planning Council, in accordance with Governor's Message No. 126;

Corazon E. Masicampo, to the Maui County Subarea Health Planning Council, in accordance with Governor's Message No. 127;

Hilda H. Inouye and John English, to the Kauai County Subarea Health Planning Council, in accordance with Governor's Message No. 128;

Rachael S. Chang, to the County Hospital Management Advisory Committee, City and County of Honolulu Hospital System, in accordance with Governor's Message No. 129;

Reginald S. Carvalho, to the County Hospital Management Advisory Committee, Hawaii County Hospital System, in accordance with Governor's Message No. 193;

Lyman M. Morikawa, to the County

Hospital Management Advisory Committee, Maui County Hospital System, in accordance with Governor's Message No. 131;

Donald K. Matsui and Elmer J. Ching, to the County Hospital Management Advisory Committee, Maui County Hospital System, in accordance with Governor's Message No. 194;

Stanley M. Shimabukuro and Evelyn Y. Olores, to the County Hospital Management Advisory Committee, Kauai County Hospital System, in accordance with Governor's Message No. 195;

Dean Jerrold Michael, Mark M. Hamasaki and Pauline W. Yim, to the Statewide Health Coordinating Council, in accordance with Governor's Message No. 188;

Maurice Morita, to the Advisory Commission on Drug Abuse and Controlled Substances, in accordance with Governor's Message No. 189; and

Nellie S. Chang, to the Drug Product Selection Board, in accordance with Governor's Message No. 190.

By unanimous consent, action on Stand. Com. Rep. No. 687 and Governor's Message Nos. 116, 117, 118, 191, 119, 192, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 193, 131, 194, 195, 188, 189, and 190 was deferred until Thursday, March 31, 1983.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 688) recommending that the Senate advise and consent to the nomination of Kent Keith as Director of Planning and Economic Development, in accordance with Governor's Message No. 155.

By unanimous consent, action on Stand. Com. Rep. No. 688 and Governor's Message No. 155 was deferred until Thursday, March 31, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 689) recommending that House Bill No. 304, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb,

seconded by Senator Chang and carried, the report of the Committee was adopted and H.B. No. 304, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS, ARCHITECTS AND SURVEYORS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 690) recommending that House Bill No. 1304, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and H.B. No. 1304, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INDUSTRIAL LOAN COMPANY GUARANTY ACT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 691) recommending that House Bill No. 1602, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and H.B. No. 1602, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 o'clock a.m.

ORDER OF THE DAY

THIRD READING

H.B. No. 658:

By unanimous consent, action on H.B. No. 658, entitled: "A BILL FOR AN ACT RELATING TO ENGINEERS, ARCHITECTS AND SURVEYORS," was deferred until

Thursday, March 31, 1983.

At this time, Senator Uwaine, Chairman of the Committee on Transportation requested a waiver of the 48-hour notice of a Public Hearing on the following:

Gov. Msg. No. 147, submitting for consideration and confirmation to the Commission on Transportation, the nomination of Kenneth I. Craw; and

Gov. Msg. No. 249, submitting for consideration and confirmation to the Commission on Transportation, the nomination of Eric K. Honma,

and the President granted the waiver.

At this time, Senator Abercrombie rose and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, within recent weeks Manoa Finance and Great Hawaiian Financial Corporation have gone bankrupt. Within recent weeks as well, we have had revealed to us that members of the press, in particular KGMB, and the Honolulu Advertiser, knew full well that Manoa Finance and Great Hawaiian Financial Corporation were in trouble and did not print the stories. They decided what news we should know.

"The reason they did it was to protect the chairman of the Consumer Protection Agency, Mary Bitterman. She has responsibility for the Thrift Guaranty Corporation. Now, for sometime, especially the Honolulu Advertiser has had Mrs. Bitterman as one of their particular favorites that can do no wrong, so as a result of this the Honolulu Advertiser and some of the other media decided that rather than print a story about the law being violated, that they would try to protect the person who was in charge of the Thrift Guaranty Corporation.

"The Thrift Guaranty Corporation came in to being in 1976. Mrs. Bitterman is now in charge of it. The fact remains, as it did in 1976, that the Thrift Guaranty Corporation is a fraud. I stated in my speech against the formation of the Thrift Guaranty Corporation in 1976, a vote which, by the way, Mr. President, I lost fifty to one in the House of Representatives and as you know you have a law on the books because you want it there when you need it and sometimes a law sits there for a long time until you need it and that's when

you want it there.

"I indicated to my colleagues in 1976 that this Thrift Guaranty Corporation was a simple fraud so that we could get people to put money back into industrial loan companies and as soon as a bankruptcy situation like THC hit again those same people would be defrauded once more and that's exactly what's happened to hundreds and hundreds of depositors in Manoa Finance and Great Hawaiian Financial Corporation.

"I notice when there was a supposed run on one of our financial institutions recently who did not have the same political clout that apparently the Inaba families and the Yamamoto families have in this state, that the newspapers and the media were quick to print that a run was going on and just as quick to print that it was not something that was warranted.

"It is not the business of the media to decide what we should know in the way of news. It is most certainly not the business of the media nor is the business of the the so-called consumer protector, who apparently is the company protector, to decide whether or not people should be protected first or whether nonexistent buyers can be found.

"Mrs. Bitterman should have spent time getting funds into the Thrift Guaranty Corporation to pay depositors rather than looking for nonexistent buyers.

"To try to find a buyer for Manoa Finance and Great Hawaiian Financial is like trying to find a buyer for the 'Titanic' after it hit the iceberg.

"The point is, do you put an ambulance in the valley or do you put a guard rail on the hill.

"If the Thrift Guaranty Corporation did not have the money to do the job why didn't the so-called consumer protector, Mrs. Bitterman, recommend changes in the law and go and get that money and see that it was there so that these people could be protected. Who was being protected? It certainly wasn't for the depositors that this action or nonaction, I should say, was taken. On the contrary, it was the political insiders who benefited.

"At this same conference, this media conference where Mr. Chaplin from the Advertiser and others confessed that they were deciding what

we should know and now know, the conference was one on media ethics ...a slight irony, one might say. The gentleman involved, Mr. Norman Isaacs, said at the time that he believed that KGMB and the Advertiser made the right decision in not repeating the reports. Mr. Isaacs, of course, was not informed that we had a Thrift Guaranty Corporation. As a media critic you'd think Mr. Isaacs would submit himself to the dictum that a reporter ought to know the facts before making a comment on it.

"I was interested to see if at the same conference if at least one of the television reporters from KHON questioned whether the withholding of information didn't favor insiders who knew the problems and were withdrawing their money.

"I want to point out from my speech in 1976 and I quote, 'Industrial loan companies are in a situation in which some of the major financial institutions of the state may be in a position to dominate. Therefore, I think that they should have an insurance situation that should be spelled out far more closely in the bill over and above the actual insurance or dollar amounts so that people who are putting their money into the industrial loan companies understand exactly what it is they are doing.'

"These people who put money in Manoa Finance and Great Hawaiian Financial thought that they were being protected by the consumer protector. Now the consumer protector, Mrs. Bitterman, is telling them they can wait for their money. They can wait for the bankruptcy proceedings to take place. How is that any different than it was before then for these people? She knows and I know and everyone knows that they would not have put their money into their financial institution if they thought that that was going to be the case.

"I went on to say, and I quote again, 'The basic idea of this guaranty corporation is a creature of the industrial loan companies and I find that suspect.'

"I went on to say, and again I quote, 'Again, I believe, we have an insiders' playground since the officers of the guaranty corporation and the industrial loan companies are drawn from the same circle.'

"Fifty to one! We were so anxious to give the public the illusion that they were going to be protected from the predatory people like Randolph

Crossley and the rest of the thieves in THC, that we passed this Thrift Guaranty deal and the people in charge of it knew full well that it could not do what we were telling people what it was going to do. But the idea, of course, was let's get these companies going. Let's protect the insiders, forget about the depositors and maybe it won't happen again and let's hope it won't happen. Well, it did happen again.

"I find, in addition, Mr. President, that some nine hundred thirty-six thousand seven hundred and nineteen dollars in bad checks had been written at Manoa Finance. I don't know about you, Mr. President, and I don't know about me but if I understand correctly what the Constitution says, our immunity doesn't quite go as far as felonious check passing, even during the session.

"If I write a check and it bounces, Mr. Marsland will be over to see me. If Manoa Finance writes bad check for almost a million dollars, the man who does it stands up and gives an apology. I suggest the next time somebody takes a gun into one of the banks and tries to rob it and get caught before they go out of the door, that the robber turn around and make an apology. The difference is that the robber could at least give the money back. In this instance, Manoa Finance isn't even going to give the money back.

"I've written a letter to Tany Hong, the Attorney General of this state, and to Mr. Charles Marsland, the Prosecuting Attorney of the City and County of Honolulu, and I've indicated the article to which I was referring written by Russ Lynch of the Honolulu Star Bulletin, March 22nd, where Manoa Finance wrote a total of nine hundred and thirty-six thousand seven hundred and nineteen dollars in bad checks and I quote, 'The situation certainly seems to call for an investigation of those responsible for the issuance of those checks. I would appreciate your views in the matter as well as being informed of any action which will be brought to bear on the individuals responsible for this crime.'

"Let's see how much these people can get away with.

"I want to conclude by reading from the Honolulu Advertiser who has decided now that we can know something about it. Tuesday, March 29th, 'we are old and may not live to see a paycheck, depositors of Great

Hawaiian Financial Corporation said yesterday in pleading emotionally to get their money... now apparently, they should have pleaded unemotionally, '... from a state-backed insurance rather than possibly waiting years for liquidation of the firm.'

"At the first meeting of these creditors, more than one hundred depositors, mostly elderly Japanese, were told preliminary estimates show that the industrial loan company is in the hole by 2.2 million dollars. Accounts in both of the failed firms were insured up to ten thousand dollars by the state-backed Thrift Guaranty Corporation,' but the catch is that Thrift Guaranty does not have the money to pay off the depositors. Exactly what I said was going to happen in 1976.

"The new president and chief executive of Great Hawaiian told depositors that there's no way to know yet how long it will be before paybacks can begin. He stated that the Thrift Guaranty Corporation has an obligation to pay the depositors but 'apparently there is not enough money.' So I ask again, who is being protected all this time? The way you protect depositors is when you find that things are wrong in industrial loan companies, you close them down right on the spot.

"People were still putting their money in, advertisements going out, all the rest of it, by word of mouth or otherwise, still putting their money in because they had faith in the State of Hawaii, faith in the consumer protector. People were able to take their money out and now I understand, oh, we're going to try and get it back. They've got the money out. What are you going do? Send Ben Villaflor to chase them down the street to make them give the money back? Are they going to send the sheriff's department?

"We're going to invoke the rules ...if they're going to invoke the rules, why didn't they invoke the rules that would have protected the people in the first place.

"There's something really rotten about this whole deal and it's even more rotten when the media has to stand up, when they get caught, when the political insiders get caught and they put out a headline 'Media sat on loan firm stories to prevent panic.'

"You know, I was around for Watergate too. Why didn't they say,

Nixon sat on Watergate story to prevent panic. The newspapers were like the 'Hound of the Baskervilles' in a Sherlock Holmes story going after Richard Nixon but when they were involved in the coverup, in the financial industrial loan coverup, it was a public service to prevent panic. I suggest, Mr. President, that the panic was in the editorial offices of the Honolulu Advertiser when they were found out and they tried to put the best face on it.

"And I suggest that this Legislature take a close look at the so-called Thrift Guaranty Corporation, because apparently the only thing it guarantees is that the people who put their faith in it get the shaft.

"Thank you."

Senator Cobb then rose and stated:

"Very briefly, Mr. President. First of all, I will not in any way, shape or form offer a defense to the media sitting on the story. That's a matter to be resolved both in the bar of public opinion, as well as whatever investigation would come out in the facts.

"Second, although I was not the chairman of the Consumer Protection and Commerce Committee in the House at the time this particular matter involving the Thrift Guaranty was passed, I have over the years become quite familiar with the law because of a number of questions being raised, both in the public and private sectors, as well as from various media representatives. It is my understanding in the application of the law that a set time-period is allowed for the liquidation or disposition of assets after which the Thrift Guaranty Fund is assessed whatever remaining balance there is.

"The director was in my office this morning indicating a partial release of funds is forthcoming in the near future. And we have a bill that has already passed out of the committee I chair on Consumer Protection and Commerce that provides, one, for FDIC insurance on the federal level for industrial loan companies; and second, that the assessments required by the state for pay-in to the Thrift Company Guaranty Fund shall continue even after the industrial loan companies are converted to FDIC. That is a proviso I insisted on to retain the solvency of the so-called Thrift Guaranty Fund until such time as the state and the depositors are repaid in full. It's a situation that I'm going

to monitor very closely.

"But, as I indicated, the media aspect of the matter is something that will have to be resolved publicly, as well as by investigation.

"Thank you."

Senator Abercrombie then rose and stated:

"Mr. President, just a brief rejoinder with respect to the remarks of the previous speaker.

"I appreciate his concern and the moves that are being undertaken at the present time to address this problem. My only comment is that I think it's a shame that it took this kind of tragedy happening a second and third time in order to bring the consumer protector into the chairman's office. That should have been done a long time ago."

Senator Cobb then responded:

"Mr. President, I might add my postscript. The idea for FDIC insurance emanated from a public hearing in my committee a year ago when I asked that the matter be fully explored and legislation be drafted to provide for this kind of protection. I'm glad to see that it has come. I only wish it had come earlier."

The President then stated:

"The Chair would like to remind all committee chairmen, that, as you know, tomorrow is the deadline for decking of all House bills with Senate drafts. If you have completed work on the bills, we would appreciate it if you would turn them in to the Clerk's office by 4:30 p.m. this afternoon."

Senator Abercrombie then queried:

"Mr. President, my committee bills and other committee bills are going around for signature, as you suggest, in order to meet the deadlines. I would like to know at what point we'll be able to take a look at the worksheet...the final product...in the Ways and Means Committee so that we can just make sure that there weren't any slip-ups."

The President replied:

"The bills will be prepared by tomorrow. We will all see it. It should be decked by tomorrow, Senator Abercrombie."

Senator Abercrombie then queried:

"I understand that, but would it be possible for us simply to try and take a look at the worksheets that are going along...."

The President then interjected:

"That matter would have to be deferred to the chairman of the Ways and Means Committee."

Senator Abercrombie then continued:

"All right, Mr. President, may I ask through you, a question of the chairman?"

The President, having answered in the affirmative, Senator Abercrombie then continued:

"Would it be all right for us to simply double-check...have our staffs double-check with the staff so that we don't have any...it will be a hectic day tomorrow...that's what I'm saying, and just to put my mind at ease so we minimize the mistakes that have to be corrected."

The President then stated:

"Mr. Chairman, I think the request is to have his staff to go over the worksheets to make sure that nothing falls between the cracks and everything is in order."

Senator Yamasaki then replied:

"We will be consulting with the staff of the Education Committee, Mr. President."

Senator Cayetano then rose and queried:

"Mr. President, what is the schedule like for tomorrow?"

The President replied:

"Hectic, very hectic, Senator Cayetano."

Senator Cayetano then continued:

"Is a night session planned?"

The President then replied:

"We are thinking about it, Senator Cayetano. It depends on the printing and on whether we can deck it in time tomorrow. As you know, the budget is relatively thick, so we may

have some printing problems."

Senator Cayetano then stated:

"I, for one would like to have some time to review the budget bill so that I can propose an amendment."

"The President then replied:

"If that is your choice. I think the expeditious way to handle it is that if you feel that an item in the budget should be amended, I suggest that you check with Ways and Means for the proper language with relation to that particular subject matter, unless it's a wholesale kind of amendment-making activity you wish to indulge in."

Senator Cayetano then queried:

"Is Ways and Means still taking

questions?"

The President replied:

"I don't think they are."

Senator Cayetano then replied:

"The train has already left, right?"

The President answered in the affirmative and Senator Cayetano then stated:

"Okay, I'll try to attach a caboose tomorrow."

ADJOURNMENT

At 12:15 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:00 o'clock a.m., Thursday, March 31, 1983.

FORTY-FIFTH DAY

Thursday, March 31, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Bob Anders, Pastor of First Baptist Church of Nanakuli, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Forty-Fourth Day.

The following introductions were made to the members of the Senate:

Senator Ajifu introduced Dr. Sati Sidhu, head of the Venereal Disease Section of Los Angeles County, her son San Jay, and sister Phool Chopra, who were sitting in the gallery.

The Chair also introduced Mrs. Ralph Ajifu, who accompanied Dr. Sidhu and family.

Senator Mizuguchi introduced, a very good friend and former member of the University of Hawaii Board of Regents, Mr. Scott Leithead.

The Chair then remarked: "Before I make the following introduction, I want to thank all of you young ladies for coming to watch me in action. I'm sure that there's no work being done in the Senate this morning (laughter), therefore, we're going to dock your pay (laughter). The male staffers are probably manning the phones."

The Chair then made the following introduction:

"Members of the Senate, it gives me great pleasure to introduce some very special guests here with us today.

"Our guests today are the principal people associated with 'Magnum, P.I.' -- no question, probably, one of the most popular programs on television, one which has been such a great promotional asset for Hawaii.

"Of course, the main reason for the success of Magnum is the charisma and appeal of its star -- Tom Selleck.

"Accompanying Mr. Selleck are his co-stars, John Hillerman, Larry

Manetti, and Roger Mosley. A lot of the appeal of the Magnum series is the interrelationship that exists between their characters.

"Also with us today are: Donald P. Bellisario, Magnum's co-creator and executive producer; Charles Floyd Johnson, producer; Ralph Sariago, vice-president in charge of production; and James Westman, unit production manager.

"Will all of these gentleman please stand to be recognized.

"Magnum has a significant impact on Hawaii's economy. Besides the worldwide exposure that it gives Hawaii, it brings in ten million dollars in expenditures a year which compounds into an impact of over twenty million dollars, resulting in one million, for this one series, in taxes for this state. Much more importantly, it also provides a variety of jobs for our local actresses and actors, technicians and other skilled personnel.

"You know, I agonized over the question of who to select to present the lei to Mr. Selleck. Since Senators Fernandes Salling, Young, Solomon, Kobayashi, and George, in particular, wanted to know how I was going to make the selection, I decided to be very democratic and have asked my ten-year old daughter, Kristy Wong to present the lei to Mr. Selleck. I really took a chance taking her out of school a little earlier than she should when she really should be studying, but I felt it was much more worthwhile for me to be 'Father of the Year' than have her miss ten minutes of education.

"To present the leis and Senate Certificates of Recognition to our other guests, I have asked as follows:

Senator Mary George to Mr. Hillerman;
 Senator Malama Solomon to Mr. Manetti;
 Senator Patsy Young to Mr. Mosley;
 Senator Lehua Fernandes Salling to Mr. Bellisario;
 Senator Ann Kobayashi to Mr. Johnson;
 Senator Young's daughter, Francine, to Mr. Sariago; and
 Gwen Joseph, my secretary, to Mr. Westman.

My secretary -- I don't know how I'd do without her -- really wanted to go to the top of the list.

"Mr. Westman, I'm told, is heading back to Los Angeles and will be our ambassador from Hawaii 'to see Hawaii more.'"

Senator Abercrombie then rose to remark as follows: "Mr. President, before you make the presentation to Mr. Selleck, I felt that it's important for me to make this brief observation.

"Mr. Selleck is here under false pretenses. As everyone knows, Mr. Selleck in particular, I'm a member of the Columbia Inn All-Star Baseball Team, and he told me that the reason he was here today is that the Magnum P.I. baseball team has managed to beat us twice and he was coming here today to further the humiliation."

Senator Holt then added: "Mr. President, I was present that evening at the University Stadium when Magnum managed to beat us, and, by the way, Mr. President, Roger Mosley's name is really pronounced 'Mo-sa-li.'"

"Tom Selleck, I observed that evening, is quite an athlete. I feel deep down inside that we would have beaten the Magnum team but for fear of up-staging television's superstar. Senator Abercrombie stayed away."

Senator Kawasaki also rose to add his remarks and said: "Mr. President, I want to express my displeasure at this adulation accorded Mr. Selleck for two primary reasons. One of which is that he has now displaced the perennial sex symbol of the Senate, Senator Abercrombie.

"Secondly, ever since it was known by the staff, in particular the female staff members, that Tom Selleck was going to be here the output and efficiency of the female staff members have suffered immeasurably. This really is a detriment to state government operations and I just wanted to note that for the Senate Journal."

Senator Abercrombie responded: "Mr. President, I appreciate the previous speaker's remarks with respect to the symbolic nature of my sexual prowess; however, I think that Mr. Selleck would be the first to agree that while he may hold the championship for those who are six feet and over, I nonetheless at five-five still hold number one."

The Chair then remarked: "Ladies and gentlemen, before the short recess for the presentation, I'd like to introduce a very dear friend of mine. To many of us here who know him very well, he's the man who follows Tom Selleck wherever he goes, which is not a bad job. Our own All-American from Michigan State, former fullback Bobby Apisa.

"And, also sitting in the background, the guy who brings a lot of film-making to Hawaii and who is trying to negotiate my contract with the movie studios, Dr. Henry Wong.

"I'd like at this time to introduce my ten-year old daughter, Kristy Wong, who will make the presentation to Mr. 'Sex Symbol' Tom Selleck. I would ask Tom to say a few words, but he says he is a man of very few words ... he's a man of action.

"To Tom Selleck and everyone connected with the Magnum show, thank you on behalf of the people of Hawaii."

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:06 o'clock p.m.

DEPARTMENTAL COMMUNICATION

A communication from the George Freitas, Director of Taxation. (Dept. Com. No. 33), dated March 30, 1983, transmitting a report, "Tax Credits Claimed by Hawaii Residents - 1981," March 1983, was read by the Clerk and was referred to the Committee on Ways and Means.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 307) transmitting House Concurrent Resolution No. 140, which was adopted by the House of Representatives on April 30, 1983, was read by the Clerk and was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 140, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR OF THE STATE OF HAWAII TO PROCLAIM MARCH, 1983 HEMOPHILIA MONTH IN HAWAII," was adopted.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 56 and 57) were read by the Clerk and were disposed of as

follows:

A concurrent resolution (S.C.R. No. 56), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO HISTORIC PRESERVATION AND HAWAIIAN AFFAIRS," was offered by Senators Solomon, Kuroda, Hagino, Chang, Kawasaki, Holt, Toguchi, Young, Uwaine, Ajifu, Aki, Henderson and Cobb.

By unanimous consent, S.C.R. No. 56 was referred jointly to the Committee on Ecology, Environment and Recreation and the Committee on Hawaiian Programs.

A concurrent resolution (S.C.R. No. 57), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN APPRAISAL AND ACQUISITION STUDY OF THE LANIHAU/KUKA'ILIMOKU PROPERTIES BETWEEN THE STATE PARK AT OLD KONA AIRPORT AND THE SHORELINE," was offered by Senators Solomon, Toguchi, Aki, Uwaine, Henderson, Kuroda, Chang, Holt, Machida and Young.

By unanimous consent, S.C.R. No. 57 was referred to the Committee on Ecology, Environment and Recreation.

SENATE RESOLUTION

A resolution (S.R. No. 72), entitled: SENATE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO MEET WITH THE KOHALA CORPORATION FOR THE TRANSFER OF THE KOHALA DITCH SYSTEM TO THE STATE OF HAWAII," was offered by Senators Solomon, Toguchi, Ajifu, Uwaine, Carpenter, Young, Cobb, Chang, Hagino, Kuroda, Holt, Kawasaki and Aki.

By unanimous consent, S.R. No. 72 was referred to the Committee on Agriculture.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 692) informing the Senate that Senate Concurrent Resolution Nos. 56 and 57, Senate Resolution No. 72, and Standing Committee Report Nos. 693 to 731 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senators Holt and Abercrombie, for the Committee on Higher Education and the Committee on Education, presented a report (Stand. Com. Rep. No. 693) recommending that House Bill No. 338, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the joint report of the Committees was adopted and H.B. No. 338, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII COLLEGE OF EDUCATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Aki, for the Committee on Culture and Arts, presented a report (Stand. Com. Rep. No. 694) recommending that House Bill No. 311, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 311, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN AMENDMENT TO SECTION 314-8, HAWAII REVISED STATUTES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 695) recommending that House Bill No. 239, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 239, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABOLISHMENT OF THE PREMARITAL EXAMINATION FOR SYPHILIS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 696) recommending that House Bill No. 245, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb,

seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 245, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Fernandes Salling, for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 697) recommending that House Bill No. 753, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 753, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 698) recommending that House Bill No. 269, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 269, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE APPOINTMENT OF MEMBERS TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 699) recommending that House Bill No. 813, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 813, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FACTORY-BUILT HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 700) recommending that House Bill No. 321, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 321, entitled: "A BILL FOR AN ACT RELATING TO VISITATION AND SUPPORT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 701) recommending that House Bill No. 411, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 411, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 702) recommending that House Bill No. 1582, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1582, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION OF CHILD SUPPORT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 703) recommending that House Bill No. 1583, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1583,

H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 704) recommending that House Bill No. 499, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 499, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Mizuguchi, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 705) recommending that House Bill No. 621, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 621, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPEECH PATHOLOGISTS AND AUDIOLOGISTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 706) recommending that House Bill No. 812, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 812, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSECUTION OF CONSUMER COMPLAINTS BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 707) recommending that House Bill No. 913, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and H.B. No. 913, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 708) recommending that House Bill No. 258, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 258, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 709) recommending that House Bill No. 519, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 519, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING IN CERTAIN WATERS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 710) recommending that House Bill No. 1128, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and

carried, the report of the Committee was adopted and H.B. No. 1128, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOORING OF COMMERCIAL VESSELS IN SMALL BOAT HARBORS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 711) recommending that House Bill No. 1090, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 711 and H.B. No. 1090, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POOL BUYING TRANSACTIONS," was deferred until Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 712) recommending that House Bill No. 1340, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1340, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 713) recommending that House Bill No. 844, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 844, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STADIUM AUTHORITY," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 714) recommending that House Bill No. 1102, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1102, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 715) recommending that House Bill No. 1438, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1438, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 716) recommending that House Bill No. 1221, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1221, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 717) recommending that House Bill No. 535, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 535, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ADMINISTRATIVE PROCEDURE ACT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 718) recommending that House Bill No.

1050, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1050, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 719) recommending that House Bill No. 830, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 830, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY AND FITNESS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 720) recommending that House Bill No. 796, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 796, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 721) recommending that House Bill No. 576, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 576, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GAMBLING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a

report (Stand. Com. Rep. No. 722) recommending that House Bill No. 313, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 313, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLACE OF IMPRISONMENT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 723) recommending that House Bill No. 243, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 243, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 724) recommending that House Bill No. 1531, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and H.B. No. 1531, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 725) recommending that House Bill No. 1528, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1528, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

WORKERS' COMPENSATION INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 726) recommending that House Bill No. 389, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 389, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECEIPTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 727) recommending that House Bill No. 282, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 282, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REINSTATEMENT OF A SUSPENDED LICENSE OR PERMIT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 728) recommending that House Bill No. 1115, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1115, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 729) recommending that House Bill No. 713, H.D. 1, as amended in S.D. 1, pass Second

Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 713, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 730) recommending that House Bill No. 768, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 768, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 731) recommending that House Bill No. 1311, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1311, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

ORDER OF THE DAY

THIRD READING

MATTER DEFERRED
FROM MARCH 30, 1983

At 12:09 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:10 o'clock p.m.

House Bill No. 658:

On motion by Senator Cobb, seconded by Senator Chang and

carried, H.B. No. 658, entitled: "A BILL FOR AN ACT RELATING TO ENGINEERS, ARCHITECTS, AND SURVEYORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

ADVISE AND CONSENT

Standing Committee Report No. 687 (Gov. Msg. Nos. 116, 117, 118, 191, 119, 192, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 193, 131, 194, 195, 188, 189, and 190:

Senator Machida moved that the Senate advise and consent to the nomination of Henry N. Thompson as Administrator to the State Health Planning and Development Agency, term to expire December 1, 1986, seconded by Senator Young.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Machida then moved that the Senate advise and consent to the nomination of Joyce Kimi Horikawa to the State Planning Council on Developmental Disabilities, term to expire December 31, 1985, seconded by Senator Young.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Machida then moved that the Senate advise and consent to the nominations of Georgia E. Morikawa, Jeffrey David Nunn and Judith Doktor to the Commission on the Handicapped, terms to expire December 31, 1986, seconded by Senator Young.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Machida then moved that the Senate advise and consent to the nomination of Vincent H.S. Lee to the Commission on the Handicapped, term to expire December 31, 1984, seconded by Senator Young.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Machida then moved that the Senate advise and consent to the nominations of William Blanchard and Barbara K. Ideta to the State Emergency Medical Services Advisory Committee, terms to expire December 31, 1986, seconded by Senator Young.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Machida then moved that the Senate advise and consent to the nominations to the State Emergency Medical Services Advisory Committee, as follows:

Peter Haltord, M.D., term to expire December 31, 1985;

Douglas M. Rogers, M.D., term to expire December 31, 1986; and

James S. Maeda, term to expire December 31, 1986,

seconded by Senator Young.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Machida then moved that the Senate advise and consent to the nominations of James Miyahara, Ph.D., and Junedale U. Hashimoto to the Advisory Commission on Drug Abuse and Controlled Substances, terms to expire December 31, 1986, seconded by Senator Young.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Machida then moved that the Senate advise and consent to the nominations of Vernon Y.N. Chock and Yoshi T. Koga to the East Honolulu Subarea Health Planning Council, terms to expire December 31, 1986, seconded by Senator Young.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Machida then moved that the Senate advise and consent to the

nomination of William R. Flanders to the East Honolulu Subarea Health Planning Council, term to expire December 31, 1986, seconded by Senator Young.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Machida then moved that the Senate advise and consent to the nomination of Donna C. Kekumu to the West Honolulu Subarea Health Planning Council, term to expire December 31, 1986, seconded by Senator Young.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Machida then moved that the Senate advise and consent to the nomination of Wallace T. Hirai to the Central Oahu Subarea Health Planning Council, term to expire December 31, 1986, seconded by Senator Young.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Machida then moved that the Senate advise and consent to the nomination of June I. Takenaka to the Windward Oahu Subarea Health Planning Council, term to expire December 31, 1986, seconded by Senator Young.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Machida then moved that the Senate advise and consent to the nominations of Reynold Mishina and Beverly Jean Withington to the Hawaii County Subarea Health Planning Council, terms to expire December 31, 1986, seconded by Senator Young.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Machida then moved that the Senate advise and consent to the nomination of Corazon E. Masicampo to the Maui County Subarea Health

Planning Council, term to expire December 31, 1986, seconded by Senator Young.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Machida then moved that the Senate advise and consent to the nominations of Hilda H. Inouye and John English to the Kauai County Subarea Health Planning Council, term to expire December 31, 1986, seconded by Senator Young.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Machida then moved that the Senate advise and consent to the nomination of Rachael S. Chang to the County Hospital Management Advisory Committee, City and County of Honolulu Hospital System, term to expire December 31, 1986, seconded by Senator Young.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Machida then moved that the Senate advise and consent to the nomination of Reginald S. Carvalho to the County Hospital Management Advisory Committee, Hawaii County Hospital System, term to expire December 31, 1986, seconded by Senator Young.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Machida then moved that the Senate advise and consent to the nomination of Lyman M. Morikawa to the County Hospital Management Advisory Committee, Maui County Hospital System, term to expire December 31, 1986, seconded by Senator Young.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Machida then moved that the Senate advise and consent to the

nominations of Donald K. Matsui and Elmer J. Ching to the County Hospital Management Advisory Committee, Maui County Hospital System, terms to expire December 31, 1986, seconded by Senator Young.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Machida then moved that the Senate advise and consent to the nominations of Stanley M. Shimabukuro and Evelyn Y. Olores to the County Hospital Management Advisory Committee, Kauai County Hospital System, terms to expire December 31, 1986, seconded by Senator Young.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, one.

Senator Machida then moved that the Senate advise and consent to the nominations of Dean Jerrold Michael, Mark M. Hamasaki and Pauline W. Yim to the Statewide Health Coordinating Council, terms to expire December 31, 1986, seconded by Senator Young.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Machida then moved that the Senate advise and consent to the nomination of Maurice Morita to the Advisory Commission on Drug Abuse and Controlled Substances, term to expire December 31, 1986, seconded by Senator Young.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Machida then moved that the Senate advise and consent to the nomination of Nellie S. Chang to the Drug Product Selection Board, term to expire December 31, 1984, seconded by Senator Young.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 688 (Gov. Msg. No. 155):

Senator Cayetano moved that the Senate advise and consent to the nomination of Kent Keith as Director of Planning and Economic Development, term to expire December 1, 1986, seconded by Senator Young.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, the Chair made the following observation:

"Members of the Senate, we will recess very shortly and reconvene at approximately at 4:00 o'clock and, hopefully, we can get out of here in fifteen to twenty minutes; but, if that is not the case, please be prepared to stay here for a number of hours of discussion."

At 12:14 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate stood in recess until 4:00 o'clock p.m.

EVENING SESSION

The Senate reconvened at 6:00 o'clock p.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 308 to 315) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 308) transmitting House Concurrent Resolution No. 164, which was adopted by the House of Representatives on March 30, 1983, was read by the Clerk and was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 164, entitled: "HOUSE CONCURRENT RESOLUTION COMMEMORATING THE CENTENNIAL CELEBRATION OF THE ARRIVAL OF KANYAKU IMIN (GOVERNMENT-CONTRACT IMMIGRANTS) AND REQUESTING THAT A MEMBER OF THE IMPERIAL FAMILY ATTEND THE CELEBRATION," was adopted.

A communication from the House (Hse. Com. No. 309) returning Senate Bill No. 889, which passed Third Reading in the House of Representatives on March 31, 1983, was placed on file.

A communication from the House (Hse. Com. No. 310) returning Senate Bill No. 915, which passed Third

Reading in the House of Representatives on March 31, 1983, was placed on file.

A communication from the House (Hse. Com. No. 311) returning Senate Bill No. 953, which passed Third Reading in the House of Representatives on March 31, 1983, was placed on file.

A communication from the House (Hse. Com. No. 312) returning Senate Bill No. 194, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1983, was placed on file.

A communication from the House (Hse. Com. No. 313) returning Senate Bill No. 134, which passed Third Reading in the House of Representatives on March 31, 1983, was placed on file.

A communication from the House (Hse. Com. No. 314) returning Senate Bill No. 254, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1983, was placed on file.

A communication from the House (Hse. Com. No. 315) returning Senate Bill No. 133, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1983, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 133, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION OF AQUATIC LIFE, WILDLIFE AND PLANTS," was deferred until Monday, April 4, 1983.

STANDING COMMITTEE REPORTS

Senator Toguchi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 732) recommending that House Bill No. 42, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 42, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEED," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Toguchi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 733) recommending that House Bill No. 43,

H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 43, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PRODUCT PROMOTION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Toguchi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 734) recommending that House Bill No. 208, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 208, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRADES AND STANDARDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Toguchi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 735) recommending that House Bill No. 209, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 209, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF DEALERS IN FARM PRODUCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Toguchi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 736) recommending that House Bill No. 210, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 210, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHICKEN EGGS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Toguchi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 737) recommending that House Bill No. 211, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 211, S.D. 1, entitled: "A BILL FOR AN ACT AMENDING SECTION 142-12, HAWAII REVISED STATUTES, RELATING TO PENALTIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 738) recommending that House Bill No. 319, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 319, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 739) recommending that House Bill No. 814, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 814, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 740) recommending that House Bill No. 1232, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1232, H.D. 1, S.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 741) recommending that House Bill No. 1620, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1620, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COOPERATIVE HOUSING CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 742) recommending that House Bill No. 3, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 3, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 743) recommending that House Bill No. 1119, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 743 and H.B. No. 1119, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 744) recommending that House Bill No. 1190, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 744 and H.B.

No. 1190, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY FARM LOANS," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 745) recommending that House Bill No. 45, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 745 and H.B. No. 45, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 746) recommending that House Bill No. 1399, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 746 and H.B. No. 1399, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 747) recommending that House Bill No. 809, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 747 and H.B. No. 809, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL AND CAREER INFORMATION," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 748) recommending that House Bill No. 114, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 748 and H.B. No. 114, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEMOPHILIA," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 749) recommending that House Bill No. 1313, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 749 and H.B. No. 1313, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MEDICAL ASSISTANCE REIMBURSEMENTS TO HOSPITAL-BASED NURSING FACILITIES," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 750) recommending that House Bill No. 817, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 750 and H.B. No. 817, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING AND MORTGAGE PROGRAM," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 751) recommending that House Bill No. 1231, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 751 and H.B. No. 1231, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 752) recommending that House Bill No. 1621, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 752 and H.B. No. 1621, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 753) recommending that House Bill No. 325, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 753 and H.B. No. 325, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 754)

recommending that House Bill No. 1567, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 754 and H.B. No. 1567, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 755) recommending that House Bill No. 80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 756) recommending that House Bill No. 765, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 765, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 757) recommending that House Bill No. 5, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 5, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 758) recommending that House Bill No. 225, H.D. 1, as

amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and H.B. No. 225, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 759) recommending that House Bill No. 1568, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1568, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 760) recommending that House Bill No. 1151, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and H.B. No. 1151, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 761) recommending that House Bill No. 1297, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, Stand. Com. Rep. No. 761 and H.B. No. 1297, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," were placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 762) recommending that House Bill No. 1401, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1401, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 763) recommending that House Bill No. 6, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 763 and H.B. No. 6, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 764) recommending that House Bill No. 992, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 764 and H.B. No. 992, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOG CONTROL," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 765) recommending that House Bill No. 1237, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 765 and H.B. No. 1237, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BICYCLE LICENSES," was deferred until Monday, April 4, 1983.

Senator Uwaine, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 766) recommending that House Bill No. 334, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb,

seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 334, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Uwaine, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 767) recommending that House Bill No. 337, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 337, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES AND MOPEDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Uwaine, for the majority of the Committee on Transportation, presented a report (Stand. Com. Rep. No. 768) recommending that House Bill No. 601, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and H.B. No. 601, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE EQUIPMENT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Uwaine, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 769) recommending that House Bill No. 890, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 890, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER RESTRAINTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Uwaine, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 770) recommending that House Bill No. 1317, H.D. 1, as amended in S.D. 1,

pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1317, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE SIZE AND WEIGHT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 771) recommending that House Bill No. 1243, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1243, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 772) recommending that House Bill No. 182, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 182, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL PRIORITY FUND," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 773) recommending that House Bill No. 722, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 722, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DUTIES OF SUPERINTENDENT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 774) recommending that House Bill No. 752, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 752, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTITUTION FOR VANDALISM OF PUBLIC SCHOOLS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Abercrombie, for the Committee on Education, presented a report (Stand. Com. Rep. No. 775) recommending that House Bill No. 1434, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1434, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 776) recommending that House Bill No. 1087, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1087, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 777) recommending that House Bill No. 497, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 497, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS,"

passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 778) recommending that the Senate advise and consent to the nominations of the following:

Charles G. Clark, Director of Health, in accordance with Governor's Message No. 232;

Solomon P. McCurdy, William J. Eggers, III, and Eugene R. Uemura to the Advisory Commission on Drug Abuse and Controlled Substances, in accordance with Governor's Message No. 233;

Patrick R. Cullen, John J. Volanti, Cullen T. Hayashida and MaBel Fujiuchi to the Statewide Health Coordinating Council, in accordance with Governor's Message No. 234;

Amy F. Hamane, Craig Y. Shikuma, M.D., and Mildred Mosher to the Hawaii County Subarea Health Planning Council, in accordance with Governor's Message No. 235;

Marion Leslie Hanlon, M.D., Tony Krieg, Jerry A. Walker, Jr., and Clark H. Nakamoto to the Maui County Subarea Health Planning Council, in accordance with Governor's Message No. 236;

Glenn M. Lovejoy, Veronica Sanchez and Peter M. Kim, M.D., to the Kauai County Subarea Health Planning Council, in accordance with Governor's Message No. 237;

Martha Imogene Pelletier to the County Hospital Management Advisory Committee, City and County of Honolulu Hospital System, in accordance with Governor's Message No. 238;

Roger B. Brault, M.D., Ralph M. Beddow, M.D., Patricia Ann Roberti, and Rosalina S. Domondon to the Board of Health, in accordance with Governor's Message No. 265;

Arvid Tadao Youngquist and Nora L. Tejero to the West Honolulu Subarea Health Planning Council, in accordance with Governor's Message No. 266; and

Merl W. Hawthorne to the Central Oahu Subarea Health Planning Council, in accordance with Governor's Message No. 267.

By unanimous consent, action on Stand. Com. Rep. No. 778 and Gov. Msg. Nos. 232, 233, 234, 235, 236, 237, 238, 265, 266, and 267 was deferred until Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 779) recommending that the Senate consent to the nomination of Herman T.F. Lum as Chief Justice, Hawaii State Supreme Court, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, in accordance with Gov. Msg. No. 245.

By unanimous consent, action on Stand. Com. Rep. No. 779 and Gov. Msg. No. 245 was deferred until Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 780) recommending that House Bill No. 1028, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1028, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUTHORITY OF THE GOVERNOR DURING DISASTER," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 781) recommending that House Bill No. 663, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 663, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VICTIMS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 782) recommending that House Bill No. 11, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb,

seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 11, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 783) recommending that House Bill No. 710, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 783 and H.B. No. 710, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS," was deferred until Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 784) recommending that House Bill No. 69, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 784 and H.B. No. 69, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DETERMINATION OF DEATH," was deferred until Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 785) recommending that House Bill No. 351, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 351, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED ACCEPTANCE OF NOLO CONTENDERE PLEAS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 786) recommending that House Bill No. 390, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 390, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUIETING

TITLE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 787) recommending that House Bill No. 1342, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1342, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY AND FITNESS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 788) recommending that House Bill No. 453, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 453, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ROBBERY," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 789) recommending that House Bill No. 1266, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1266, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, AND SEPARATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 790) recommending that House Bill No. 322, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and

carried, the report of the Committee was adopted and H.B. No. 322, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATERNITY STATUTE OF LIMITATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 791) recommending that House Bill No. 1037, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1037, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, SEPARATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 792) recommending that House Bill No. 783, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 783, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 793) recommending that House Bill No. 1294, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1294, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPOUSE ABUSE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 794) recommending that House Bill No. 866, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 866, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNAUTHORIZED REMOVAL OF SHOPPING DEVICES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 795) recommending that House Bill No. 494, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 494, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 796) recommending that House Bill No. 1417, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1417, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CHILD PROTECTIVE ACT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 797) recommending that House Bill No. 1118, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1118, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a

report (Stand. Com. Rep. No. 798) recommending that House Bill No. 452, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 452, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFINITIONS OF STATES OF MIND," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 799) recommending that House Bill No. 402, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 402, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 800) recommending that House Bill No. 15, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 15, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTITUTION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 801) recommending that House Bill No. 118, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 118, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE

SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 802) recommending that House Bill No. 1363, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1363, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 803) recommending that House Bill No. 1557, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1557, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESPONSIBILITY AND FITNESS OF DEFENDANT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 804) recommending that House Bill No. 1562, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1562, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EFFECT OF FINDING OF UNFITNESS TO PROCEED," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 805)

recommending that House Bill No. 1153, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 805 and H.B. No. 1153, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 806) recommending that House Bill No. 901, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 901, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 807) recommending that House Bill No. 34, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 807 and H.B. No. 34, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," was deferred until Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 808) recommending that House Bill No. 10, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 10, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 809) recommending that House Bill No. 1126, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 809 and H.B.

No. 1126, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," was deferred until Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 810) recommending that House Bill No. 708, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 810 and H.B. No. 708, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS," was deferred until Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 811) recommending that House Bill No. 1496, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1496, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTAKE SERVICE CENTERS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 812) recommending that House Bill No. 467, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 467, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 813) recommending that House Bill No. 800, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 800, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT,"

passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 814) recommending that House Bill No. 253, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 253, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 815) recommending that House Bill No. 256, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 256, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 816) recommending that House Bill No. 257, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 257, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 817) recommending that House Bill No. 272, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 272, H.D. 1, S.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 818) recommending that House Bill No. 280, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 280, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 819) recommending that House Bill No. 966, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 966, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 820) recommending that House Bill No. 287, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 287, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOXING COMMISSION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 821) recommending that House Bill No. 291, H.D. 1, as amended in S.D. 1, pass Second

Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 291, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 822) recommending that House Bill No. 1402, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1402, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS LICENSE BOARD," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 823) recommending that House Bill No. 289, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 289, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHIROPRACTIC," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 824) recommending that House Bill No. 1, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

The Chair, at this time, remarked as follows:

"Members of the Senate, before the motion is made, because there has been some inquiry relative to the budget bill, we will allow about an hour and a half for each member to study the measure and to submit amendments, if any.

"I expect, Senators, that when we return this evening at approximately 7:30 p.m., we will complete the agenda, wherever that may take us. There are other bills forthcoming which will also be placed on your desks at that time. So, if you have your amendments on the various bills please offer them to the Clerk."

By unanimous consent, action on Stand. Com. Rep. No. 824 and H.B. No. 1, H.D. 1, S.D. 1, was deferred to the end of the evening calendar.

At 6:05 o'clock p.m. the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:06 o'clock p.m.

At 6:07 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate stood in recess until 7:30 o'clock p.m.

The Senate reconvened at 8:00 o'clock p.m.

STANDING COMMITTEE REPORTS

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 825) recommending that House Bill No. 914, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 825 and H.B. No. 914, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 826) recommending that House Bill No. 527, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 826 and H.B. No. 527, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 827) recommending that House Bill No. 1088, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1088, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE DEALERS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 828) recommending that House Bill No. 811, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 811, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE UNFAIR PRACTICES AND FRAUDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 829) recommending that House Bill No. 810, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 810, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF BEAUTY CULTURE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 830) recommending that House Bill No. 915, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 915, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 831) recommending that House Bill No. 1587, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1587, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 832) recommending that House Bill No. 659, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 659, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 833) recommending that House Bill No. 286, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 286, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF BARBERING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 834) recommending that House Bill No. 274, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and

carried, the report of the Committee was adopted and H.B. No. 274, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 835) recommending that House Bill No. 702, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 835 and H.B. No. 702, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 836) recommending that House Bill No. 387, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 836 and H.B. No. 387, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 837) recommending that House Bill No. 268, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 837 and H.B. No. 268, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE POPULATION AND PLANNING," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 838) recommending that House Bill No. 1018, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 838 and H.B. No. 1018, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL BANKING FACILITIES," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 839) recommending that House Bill No. 1505, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 839 and H.B. No. 1505, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 840) recommending that House Bill No. 393, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 840 and H.B. No. 393, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 841) recommending that House Bill No. 502, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 841 and H.B. No. 502, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 842) recommending that House Bill No. 1121, H.D. 1, S.D. 1, as amended S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 842 and H.B. No. 1121, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOSPITAL ADMINISTRATION IN THE COUNTY/STATE HOSPITAL SYSTEM," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 843) recommending that House Bill No. 314, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 843 and H.B. No. 314, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE

HAWAII HOUSING AUTHORITY," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 844) recommending that House Bill No. 1061, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 844 and H.B. No. 1061, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 845) recommending that House Bill No. 236, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 845 and H.B. No. 236, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 846) recommending that House Bill No. 81, H.D. 1, S.D.1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 846 and H.B. No. 81, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 847) recommending that House Bill No. 329, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 847 and H.B. No. 329, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX INCENTIVES FOR SOLAR ENERGY DEVICES," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 848) recommending that House Bill No. 670, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 848 and H.B. No. 670, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO

DISASTER RELIEF," was deferred until Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 849) recommending that House Bill No. 781, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 849 and H.B. No. 781, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred until Monday, April 4, 1983.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 850) recommending that House Bill No. 1123, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1123, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEARINGS BEFORE THE BOARD OF LAND AND NATURAL RESOURCES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

ORDER OF THE DAY

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Standing Committee Report No. 824 (H.B. No. 1, H.D. 1, S.D. 1):

Senator Cobb moved that Stand. Com. Rep. No. 824 be adopted and H.B. No. 1, H.D. 1, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Senator Soares.

Senator Cayetano then offered the following amendment:

"SECTION 1. House Bill No. 1, H.D. 1, S.D. 1, is amended as follows:

"1. PART III, SECTION 4, Item K-4 is amended to read:

FY 1983-84	FY 1984-85
51.00*	51.00*

PED 103 1,979,499 1,397,630

2. By adding a new proviso to read:

SECTION 113-A. Provided that no general funds shall be expended for the Commission on Population and the Hawaiian Future or for personnel currently working for the commission."

Senator Cayetano moved that the amendment be adopted, seconded by Senator Toguchi.

Senator Cayetano then rose in support of the amendment and stated as follows:

"Mr. President, I rise to speak in favor of this amendment.

"Mr. President, the subject matter which covers this amendment is comparatively minor, when compared to the multibillion dollar budget that we have before us, but I wish to make this amendment an issue because I believe that what has happened here may be symbolic for all committee chairmen who have struggled with the budget in these critical times.

"The amendment proposes or deals with the staff of four people, four positions, which were transferred to DPED from the Commission on Population and the Hawaiian Future.

"Now, let me explain this amendment. This issue has been before us for many sessions. The pros and cons of the commission and the work that it was doing have been debated many, many times before this Legislature. Finally, in this session, I think all parties agreed that the commission should be sunsetted.

"However, there was a House bill that was referred to my committee which proposes that the commission be sunsetted, but that an office on population be created in DPED and the staff of four from the commission be transferred to DPED.

"The Committee on Economic Development, Mr. President, held a hearing on this matter. I believe it was the only committee in this Senate which held a hearing on this matter, and during the course of the hearing we determined that the work of the commission staff could be dealt with in other ways; that there was no need for an office of population in DPED and that the four positions should not be transferred from the Commission on Population and the Hawaiian Future.

"This was the recommendation to

Ways and Means, and it was a recommendation which was approved unanimously by every member of the Committee on Economic Development. We have to remember that this was not an easy decision for the committee. We were operating under the instructions from Ways and Means.

"If I recall correctly, we were faced with making a twenty-five percent cut. My original ceiling was \$12 million; later it was reduced to \$9 million. We made these cuts and we made these very hard decisions under and in those circumstances.

"Well, I was a bit disappointed because when this budget emerged, lo and behold, there were the four positions in the budget. I don't know what the justification is, Mr. President, since the Committee on Ways and Means did not hold a hearing on this. But, what bothers me is that there was strong communication from my committee to the Ways and Means staff that the committee felt very strongly that the four staff positions should not be transferred. Also, after such communication, we were given the impression by the Ways and Means staff that Ways and Means would honor the committee's decision. Well, what is the basis for Ways and Means putting back the staff of four positions from the commission. I can think of none.

"I think that Ways and Means should have contacted the committee chairman on this so that they could get some input from the committee chairman as to what the committee's purpose and strategy was in terms of making this particular budget recommendation.

"It's never easy for any committee chairman to abolish positions. However, there was no need to panic. Had someone asked, we would have easily given the explanation and justification that this work done by the population staff is already being done by DPED; that, really, it would be surplus. However, I still didn't feel that strongly about it.

"It appears that no one on Ways and Means thought about the fact that the House wanted these positions and that if someone had asked me I would have said that one of the reasons we deleted these positions was to go into conference and deal with the issue there. The Committee on Economic Development was not closed to restoring these positions in

conference, but we felt that the matter should be discussed.

"Furthermore, had the freshman members of the Ways and Means Committee asked some of the veterans, they would have found that the mere election of the positions was inconsequential because if the Governor really wanted these positions he could dip into his pool that we all know of ... civil service positions, roughly about 20 to 30 that we include in the budget every year.

"Well, sometime in the wee, wee hours of the morning it was put back, and what is the explanation? Well, I really don't know, except that I do know one Senator worked for the commission. I do know that another Senator has friends on the commission. I would have hoped, Mr. President, that these considerations could have been discussed with me before they were done. This is just one example of a whole scenario of what has been happening with this budget.

"Now, what are the implications?

"Given Ways and Means guidelines, the committee's recommendations were far below the reduced allocation level. For example, in the second year of the biennium, we reduced spending by \$500,000 under the ceiling; the first year \$100,000. We followed every instruction and every guideline given to us by Ways and Means. We were told by Ways and Means that if we came below the ceiling that the subject matter committee recommendations would be honored. But, apparently, political considerations take precedence over Ways and Means guidelines.

"I want to read to the members of this body our Senate Rule 16 which states:

'Rule 16. Standing Committees: General Responsibility

'It shall be the duty of each standing committee to conduct systematic review of those portions of the state budget, program and financial plans, and variance reports dealing with, and to consider all laws, bills, resolutions, petitions, reports and other matters relating to, those programs over which the committee has responsibility.'

'It shall examine such portions of the executive budget, the General Appropriations Bill and the

Supplemental Appropriations Bill relating to the programs over which it has responsibility, and it shall recommend the programs and the levels of program expenditure to be included in the General Appropriations Bill or Supplemental Appropriations Bill. The level of expenditure, in the aggregate, for any program area shall be consistent with the expenditure allocation established for that program area by the Standing Committee on Ways and Means, which shall make the final recommendation to the Senate.'

"Mr. President, we followed that rule to the letter. The rule goes on to say:

'On other bills referred to it by the President, the committee shall determine objectives, make program recommendations and, where appropriate, make expenditure recommendations. On bills that have been referred by the President to more than one committee, subsequent referral committees shall make no substantive change without prior written notice of such change to the first referral committee and consultation and coordination with that committee, via its chairman, prior to the transmittal of the amended bill and committee report to the Clerk of the Senate for floor action.'

"Mr. President, the chairman was not notified. The rule goes on:

'For those bills which require appropriations, the committee shall make expenditure recommendations consistent with the expenditure allocation established for the bills by the Standing Committee on Ways and Means, which shall make the final recommendation to the Senate, after consultation and coordination with the chairman of the subject matter committee.'

"Mr. President, the subject matter chairman was not consulted. The rule goes on:

'It shall also be the duty of each standing committee to review the implementation of those programs over which the committee has responsibility. In its review, it shall determine the extent to which program objectives are being accomplished and legislative policies executed, recommend the study of program issues and the conduct of program analysis. It shall

recommend amendments to appropriation acts and such policies as may be appropriate to improve the planning, programming, budgeting, implementation and evaluation of programs to the Standing Committee on Ways and Means, which shall make the final recommendation to the Senate.'

"Mr. President, I would like to know from the chairman, the vice-chairman of the Committee on Ways and Means, or from the members who have friends on this population commission, what is the reason for overriding the subject matter committee's recommendations and placing back into the budget those four particular positions?

"What is the reason, when we are faced with fiscal constraints and we were told to make these devastating cuts, when we had to make agonizing decisions after long and hard hearings where evidence was presented to us, what is the reason?

"Did Ways and Means hear this particular issue? I don't think so.

"The information I have is that only the subject matter committee heard this particular issue; only the subject matter committee heard the bill that's related to this particular issue. So, why then, why the change?

"Perhaps, when I am done talking someone can explain? I would like an explanation!

"So, I'm recommending to this body that the amendment that I propose be adopted. It is a reasonable request. Certainly, it will be, I think, consistent with the committee's actions in this area and on this particular subject.

"With that recommendation, I ask that the members of this Senate vote 'aye' on the amendment. Thank you."

Senator Kawasaki responded as follows:

"Mr. President, I'd like, as a member of the Ways and Means Committee, to respond to the question posed by Senator Cayetano relative to perhaps what might be termed the rationale for the inclusion of the appropriations for this particular commission.

"I asked the same question and the answer I got from one member of the Senate Ways and Means Committee

was, 'Well, we've got warm bodies involved here, and isn't it rather drastic to eliminate the commission.' Information had been provided to us that the commission's work was substantially over ... it was done ... all the information needed to perhaps have this commission make a final report to the Legislature may be present.

"I point out, this is rather inconsistent because one of the actions taken by the Ways and Means Committee in regard to another agency and a bill passed to extend the life of the crime commission went over to the House, and I know from reading the papers the House also wants to extend the life of the crime commission. In fact, the House has, I think, appropriated funds to make this possible.

"I posed a question, if we eliminated the funds or in effect did that by including whatever funds designated for the crime commission in part B, and part B was not accepted by the House, do we not in effect completely eliminate the crime commission? Are we not paying any attention to the fact that there are a lot of warm bodies, some of which belong to people very competent, on the crime commission ... are we not just eliminating these warm bodies, and is this not being inconsistent with the statements made by one member of the Ways and Means Committee, specifically Senator Chang's, I recall? I could not elicit any acceptable answer. This concerns me.

"I further went on to say that if we are unhappy as to the manner in which the crime commission, (which incidentally, Mr. President, was your bill; I think we co-sponsored the bill. I lobbied hard and heavily for the enactment of the bill creating the crime commission and you and I agreed that this was a good idea) if it were to work effectively, like the crime commission in Chicago and elsewhere operated, we should appoint good commission members to help make the crime commission effective, than it could help our constant effort to reduce crime in the State of Hawaii.

"The idea is good, but if the administration of it has been bad because the appointments that we had the Governor make and which we confirmed, with very cavalier attitudes, that is to say, we have confirmed some people perhaps not best-qualified to serve on the crime commission ... if the crime commission

is not working well, effectively, as we intended when we enacted the statute, then perhaps we should be sure that the appointments that come down are good appointments; make sure we scrutinize the abilities of these people who are going to be crime commissioners. Also, ..."

The Chair interjected: "Senator Kawasaki, the Chair would like to interrupt, I think that we have to ..."

Senator Kawasaki continued: "Mr. President, the point I want to make is the inconsistencies on the part of the Ways and Means Committee in not attending to the plight of several warm bodies that are involved as the result of the action we have taken in the budget bill, which is to say a limited amount of appropriation put in part B which I predict will not be accepted by the House. The end effect of that will be the elimination of the crime commission.

"Further, Mr. President, I have a question to pose to our legal minds here, whether the fact that Rule 16, as read by Senator Cayetano, and Rule 17, which he did not bother to read, which provides that the chairman of the Ways and Means Committee will indeed have extensive dialogue and consultation with the subject matter committee chairman, which happens to be Senator Cayetano. This was not done; this is a violation of the rules provided for in the Senate. Would this cloud the passage of our appropriations bill because Rule 17 was violated? That's the question that I have."

Senator Fernandes Salling spoke in favor of the amendment as follows:

"Mr. President, as a member of the Ways and Means Committee, I would like to speak in favor of this amendment.

"I was contacted by one of the commissioners, the vice-chairman of this commission. This was prior to the hearing. He advised me at that time that they had met and discussed the sunseting of this body, the Commission on Population and the Hawaiian Future. This was done among the commission members.

"The advice was to sunset the commission because they had completed their work and that this should be absorbed, the entire function of this commission should be absorbed into the Department of

Planning and Economic Development. Now, this information I relayed to the Ways and Means Committee when it came up for discussion and it was ignored, and over the objections that I made, this was recommended for passage that we do not in effect sunset the commission but that these warm bodies be absorbed into the Department of Planning and Economic Development.

"I would just like to say, Mr. President, that I feel that in light of this kind of evidence and the fact that this is how the commission members themselves felt, that I think the Ways and Means Committee should have taken and placed strong priority on this recommendation by the commission and decide to go along with the subject matter committee's recommendation and the commission's recommendation to sunset this commission.

"Thank you."

Senator Cayetano then inquired: "Mr. President, I asked, rhetorically, if someone would answer questions and no one answered, so I'm going to ask through the President if the vice-chairman of Ways and Means would yield to a question?"

The Chair asked: "Will the vice-chairman, did you say, Senator Cayetano?"

Senator Cayetano answered: "Yes, Mr. President, the vice-chairman. I think Senator Yamasaki is tired."

Senator Yamasaki responded: "Mr. President, I'll be willing to yield to a question."

The Chair said: "Senator Yamasaki, the question was directed to the vice-chairman. If he cares not to answer, he can so indicate."

Senator B. Kobayashi then answered: "Mr. President, I'll hear the question."

Senator Cayetano asked: "Mr. President, will you ask the vice-chairman if the bill which is related to this appropriation was given a public hearing in Ways and Means?"

Senator B. Kobayashi answered: "You're speaking about the bill in the budget?"

Senator Cayetano continued: "There is a bill that's related to this, Mr. President, and that bill would, as

I recall, sunset the commission and provides for the transfer. Was that bill heard?"

Senator B. Kobayashi answered: "Mr. President, I don't know."

Senator Cayetano continued: "Was there any hearing on the population commission, on this issue?"

Senator B. Kobayashi answered: "Yes, Mr. President, there was, in terms of our regular budget hearings."

Senator Cayetano continued: "Was that on the question of the transfer of the four positions? Was that heard?"

Senator B. Kobayashi answered: "Mr. President, I believe we had a discussion on the topic of PED 103, which included all aspects of that program area, including the Commission on Population and the Hawaiian Future."

Senator Cayetano further asked: "Mr. President, would you then ask the vice-chairman if the decision on this particular appropriation ... if he considered this decision by Ways and Means a decision on policy for the Department of Planning and Economic Development?"

Senator B. Kobayashi answered: "I'm not sure I can answer that, Mr. President."

Senator Cayetano continued: "Well, then, Mr. President, I wonder if the good Senator would give me an answer or justification for overriding the subject matter committee on this particular recommendation?"

The Chair interjected: "Senator (B.) Kobayashi, you needn't answer. I think the question should be directed to the chairman of Ways and Means, he has total control over that particular item; the vice-chairman merely records votes and opinions."

Senator Cayetano responded: "Mr. President, there may be some disagreement on that."

The Chair answered: "There might be, but I think it should be directed to the chairman since he has overall jurisdiction over the hearings on the budget."

Senator Cayetano responded: "Yes, I respect the President's recommendation."

"Mr. President, I've chosen to ask this question of the vice-chairman because he's very familiar with the commission. He once worked for the commission and I think he may be able to provide us with some information, so, I'm specifically directing my question to him."

The Chair answered: "Senator (B.) Kobayashi, you need not answer."

Senator B. Kobayashi replied: "Mr. President, if I may, I had a discussion with the previous speaker this afternoon about 5:00 p.m. and I explained to him my role in this decision-making. I believe I answered all of his questions at that time. I have very little to add from that afternoon discussion."

Senator Cayetano responded: "Mr. President, yes, we did have a discussion but I would like him to answer for the Journal and the people who are present here today. That's the purpose of my asking him the question."

The Chair then asked Senator (B.) Kobayashi if he would yield to the question and Senator (B.) Kobayashi having replied in the negative, the Chair so informed Senator Cayetano.

Senator Cayetano answered: "Okay, Mr. President, I think that's the answer I expected."

Senator Yamasaki then responded: "Mr. President, to clear this matter up, I would just like to state that we have a letter from the Department of Planning and Economic Development requesting that the functions of the Commission on Population and the Hawaiian Future be transferred to the Department of Planning and Economic Development and, also, that the three bodies, three warm bodies, the specialist, the assistant specialist and the clerk, be also transferred to the Department of Planning and Economic Development. There is one position that is vacant."

"Now, on the subject of the Rules of the Senate, I believe that the Ways and Means Committee always have had the final say on the appropriation bill ... on the contents of the budget and the dollar amount that each contains."

"I would like to remind the members of this body, also, that in the previous sessions of this body, way back in 1980, when the previous speaker was chairman of this

important and powerful Ways and Means Committee, he submitted a report on behalf of the Ways and Means Committee, relating to Hawaii Housing Authority, House Bill 2029-80, H.D. 2, S.D. 1, and amended the Housing committee's recommendations completely by deleting various provisions which would have the effect of expanding the eligible group of Hawaii residents who could participate in this program, and this is the Hula Mae program.

"Next, H.B. 2723-80, H.D. 2, S.D. 1, '...your Committee is concerned with the potential for a developer to remove a project from the rental housing market soon after its development. Your Committee has therefore amended the bill by adding a new provision requiring the Hawaii Housing Authority to adopt rules prohibiting the prepayment of the project loan for a period of 20 years, thus, preventing a mortgagor from removing the project from the rental market for that period.'

"H.B. 1686, H.D. 2, S.D. 2, March 30, 1979, was another bill which was amended.

"S.B. 2240-80, 1980, '... the purpose of this bill is to amend the state's pension and retirement system law to increase retirement bonuses to enable retirees to maintain an income level more consistent with today's economy by providing them with an additional special cost-of-living bonus.'

"All of these indicate that the Ways and Means Committee has the authority to make changes, to make recommendations on the financial impact on the State of Hawaii, especially where money is concerned.

"The Ways and Means Committee has, throughout the sessions, always had the final authority as far as money matters were concerned, and for that reason we have concluded, or I have concluded, that the Ways and Means Committee can make substantive changes to a bill or to the budget contents of the State Budget. These are examples of the past and because now we have a new chairman for the last three years and because the previous speaker is not a member of the Ways and Means Committee ...

"I have had the most difficult time during these three sessions to work on the State Budget because of the kind of pressure that I had to work under and the individuals that I had to encounter, not only within the

committee but outside of the committee.

"When I was the vice-chairman of the committee in 1979 and 1980, I had to eat all the 'hard rocks,' all the marbles that the chairman submitted and I gave him my 100% support, right or wrong, and this is the kind of help that I'm getting now.

"Thank you very much."

Senator Cayetano answered:

"Mr. President, time marches on and when times marches on things change. One of the big changes that we have in the Ways and Means Committee today and the Ways and Means Committee of 1980 is, if the President recalls, in those years the subject matter committee chairmen of Housing, Economic Development, Human Resources and many of the major committees that we have today, sat on the Ways and Means Committee. Because of this new organization, those do not sit on Ways and Means today.

"The amendments made with respect to Hula Mae clearly, clearly go to fiscal and financial matters. The point I'm trying to make, Mr. President, is that those chairmen were members of Ways and Means. We have a new setup today. Major committee chairmen are no longer members of Ways and Means, and because of this, I think that Rule 16 should be looked at, maybe, in a different perspective.

"Now as far as the chairman experiencing difficulties, well, I think almost everything that I have done in this Senate, I've managed to support one way or another in terms of facts, research, homework.

"Any Senator who follows the edict that he will do something for his chairman, right or wrong, I think, is doing a disservice not only to the Senate, but to the public he represents."

Senator Abercrombie spoke in support of the amendment and stated:

"Mr. President, speaking in favor of the amendment, I think that what has been lost in the process here in the last few minutes is the question that was asked of first, of the vice-chairman and, subsequently, your suggestion and the voluntary answer of the chairman of Ways and Means was, was this a change in policy and, if so, what was the

justification?

"Unfortunately, the chairman of Ways and Means chose to respond in terms of whether or not the Ways and Means Committee had final authority. That is not the question at point, nor was it the question that was posed.

"I think all of us here are sufficiently well-versed in the rules to understand that the Committee on Ways and Means is the final authority with respect to financial recommendations.

"I dare say that the bills or items that were alluded to by the chairman of the Ways and Means Committee were probably passed, and they were probably passed by the Committee on Ways and Means with the participation of the major committee chairmen that were involved.

"Therefore, I would like to reiterate, but I think the proper procedure in the rules is that if a question is posed through you to the Senator, whichever Senator it is who would be kind enough to yield to the question, or to answer the question ... the question is, and I would like to hear the answer, I am a member of the Economic Development Committee and did not hear the answer ... was this a question of policy change from the original standing committee's recommendation, and if so, what was the justification, not whether or not Ways and Means has the final authority?

"Would that be in order, Mr. President?"

The Chair responded that it is in order then asked Senator Abercrombie as to whom the question was being addressed to, whereupon, the Senator answered, "Either the chairman or the vice-chairman, whoever would care to answer, or who you think is the appropriate person."

The Chair then asked the chairman of Ways and Means if he would care to yield to the question and Senator Yamasaki, having replied in the affirmative, answered:

"Yes, Mr. President, I just follow Rule 17 of the rules in which final authority rests with the Ways and Means Committee. That's all."

Senator Abercrombie continued: "Okay, Mr. President, is that the answer? It's distressing to hear that that is the answer. I don't dispute that. Perhaps I didn't make myself

clear. I certainly don't dispute that, but Rule 17, inasmuch as it's been mentioned at least twice now and has not been quoted yet, I think perhaps now it should be because this is a public debate after all and not everyone in the gallery has the advantage of having the rule book in front of him.

"It says, 'Committee on Ways and Means: Special Responsibility' and if I read this it will become clear as to what it is that's being asked. The question is not arbitrary nor is it capricious.

"It shall be the duty of the Committee on Ways and Means, in considering the General Appropriations Bill or the Supplemental Appropriations Bill, to determine for each fiscal year of the biennium the appropriate level of total expenditures and the level of expenditures for program areas.' I don't think there's any dispute with that, Mr. President.

"The committee shall inform each standing committee of the allocations made to each program area over which the standing committee is responsible for budget and program review.' I received such information and I presume the chairman of the Economic Development Committee did.

"The Committee on Ways and Means shall receive the program expenditure recommendations of the standing committee and shall review the recommendations to determine that, in the aggregate, the expenditure recommendations are consistent with the allocations made to the program area.' You'll note, Mr. President, that it says that 'in the aggregate.' The subject matter committee has a particular responsibility to the Ways and Means Committee, which is reciprocal.

"In determining the allocation to be made to a program area and in reviewing the recommendations of the standing committee, the Committee on Ways and Means shall invite the participation of the chairman of the standing committee responsible for the program area.' The testimony here this evening of the chairman of the Committee on Economic Development is that, with respect to this section of Rule 17, he did not participate in the determining of the allocation made to this particular program area in reviewing the recommendation of the standing committee. This is in addition to what he has stated as the failure to consult and coordinate in

Rule 16.

"These are serious questions and serious matters that go beyond personalities and go beyond the particular subject matter that's before us here with respect to this Commission on Population and the Hawaiian Future.

"After review of the recommendations of the standing committees, the Committee on Ways and Means shall be responsible for preparing the General Appropriations Bill or the Supplemental Appropriations Bill in a form appropriate for consideration by the Senate.' My understanding from my participation in Ways and Means in the past has been that you must provide justifications for what it is that you do, most particularly with respect to the subject committee area.

"Again, the question has been posed not whether or not the chairman has final authority, but rather, quite simply, what is the justification. If and when you expend public funds, no matter how you do it, and no matter what the procedure involved is, presumably we are all prepared in our various responsibilities to indicate why it is that we are doing what we are doing. Now, that is the question that has been asked, not whether it is possible to do, because that is admitted, certainly by myself, if not by the chairman and I think that he would not disagree with me. I'm sure you would agree, as well, Mr. President.

"It goes on to say then, 'In all other bills requiring appropriations, it shall be the duty of the Committee on Ways and Means to inform the standing committee responsible for the program area to which the appropriation relates to the amount and type of financial resources available,' not just informing them what they did, but the type of financial resources available.

"...and it shall review the expenditure recommendation of the standing committee to determine that the recommendation is consistent with the resources available.' This is where the justification question comes in, Mr. President, and I'm not trying to stretch anything.

"I'm sure that when you were Ways and Means chairman, this kind of point was raised by yourself, if not by others on your committee or in the community or in the Senate over and over again. And I'm sure, as I

recall, you did quite well in answering those questions.

"In determining the amount and type of resources available for a bill requiring an appropriation and in reviewing the expenditure recommendation of the standing committee, the Committee on Ways and Means shall invite the participation of the chairman of the standing committee responsible for the program area to which the appropriation relates.'

"I must reiterate with respect to the last part of Rule 17 that the testimony of the chairman on Economic Development is that such participation did not take place, and such review and determination of the amount and type of resources available for the bill from the Ways and Means Committee did not take place. Therefore, I think it is appropriate that the question be answered.

"Is this a policy change from that of Ways and Means and, if so, what is the justification for the policy change with respect to Rules 16 and 17? That is my question."

The Chair asked the chairman of Ways and Means Committee if he would yield to the question and Senator Yamasaki answered in the affirmative and stated:

"Mr. President, I believe that in March, according to my notes here, on March 27th, Sunday, we scheduled a series of participatory meetings inviting the participation of subject committees from 9:00 a.m. and I believe that the chairman of the Economic Development Committee had another activity going on and he could not participate on that day, so I had my staff contact either his staff or the chairman on the economic development portion of the budget."

Senator Abercrombie continued: "That may be, Mr. President, but what is the reason for what Ways and Means did what it did?

"Mr. President, I'm quite sincere. I'm not trying to be obdurate about this, I simply want to know what is the justification for the change. Surely, that can be articulated. Regardless of where the chairman was or wasn't ..."

The Chair interjected: "I'm afraid the chairman of Ways and Means does not care to answer that, obviously."

Senator Abercrombie continued:

"Fair enough.

"Mr. President, I think we ought to be very careful, and this is with respect to this amendment ... it may come up with other amendments if the answer of the previous speaker is to be taken at face value. We must be very, very careful because if what he says is true, then that should have been a public meeting, because if such decisions were being made, my information was, and when I went to the meeting ... I'll discuss that at perhaps a later time this evening, I understood that this was a briefing.

"I was not being consulted or participating in any way because at such a meeting that means that this is how decisions are made in our rules, Mr. President, and that requires a public meeting. We would be in violation probably of the sunshine law, if that was the case."

The Chair remarked: "As I understand, Senator Abercrombie, the meeting was held on Monday of the following week which began at 9:00 in the morning and concluded at 7:00 o'clock on Tuesday morning, with decision-making on every item being made in public. I'm not sure of how you arrived at ..."

"Senator Abercrombie responded: "I beg your pardon, Mr. President, I'm not disputing that. The answer given by the previous speaker was Sunday, not Monday, and that that was a meeting that was called where chairmen were invited to come, and that constituted in terms of answer participation with respect to the rules.

"I would submit that we're on very shaky ground if that in fact was the case because it probably should have been a public meeting. So I hope that we will have that cleared up before the end of the evening.

"In any event, to conclude my support then for this amendment, I think you have stated yourself, Mr. President, that neither the chair nor the vice chair of the committee cared to answer what I believe is a perfectly reasonable and straightforward question, as to what is the justification for the item being in the budget.

"I would submit to the members of the body that if we are unable to answer such questions when it comes to conference, that the Finance Committee in budget conference will have us for lunch. Thank you."

Senator Uwaine then rose on a point of parliamentary inquiry as follows:

"Mr. President, I rise on a point of parliamentary inquiry.

"I don't know if its parliamentary, but I'm a little confused right now, Mr. President. From listening to the previous remarks of several speakers, and I want a ruling from the President, according to the Rules of the Senate, especially Rule 17 pertaining to the 'Committee on Ways Means: Special Responsibility' has there been any violation by the chairman or by the Ways and Means Committee pertaining to the budget?"

The Chair responded: "Well, if you're talking about final determination over the budget ..."

Senator Uwaine answered: "I'm asking if Rule 17 or any rule in the Senate rule book was violated? I suggest that it wasn't violated, if I can get a ruling first ..."

The Chair responded: "Well, I think the inquiry was whether or not a matter of policy was being altered? In the special responsibility for Ways and Means, they have total control and final adjudication of the budget. I see no violation of the rules."

Senator Uwaine answered: "Mr. President, then I suggest that any of the people who allude to maybe that any of the rules have been broken, they can appeal the ruling of the Chair. Thank you."

The Chair responded: "That is correct."

Senator Young then rose to respond to remarks of previous speakers and stated:

"Mr. President, since two previous speakers mentioned my committee program and I wasn't quick enough to pick up the mike, may I make a statement at this time?"

The Chair answered in the affirmative and Senator Young continued:

"In 1979 and 1980, I wasn't extended the courtesy by the chairman of Ways and Means or by his staff members on amendments made to my bills, but later on towards the end of the session, in due respect to the chairman, when he found out about my frustration and disappointment, he did come to my office; we discussed the matters and

we did come to some understanding."

Senator Cayetano then rose to respond and stated:

"Mr. President, just in brief response to the previous speaker, as I stated, in those days the previous speaker was a member of Ways and Means. The amendments to bills are discussed in committee and if the chairman, at that time, does not express concern, the chairman of Ways and Means doesn't know about it, okay?"

"If I recall, the amendments that were made, were with respect to fiscal matters of the Hula Mae program, for example, that includes bonds. I think, with respect to the previous speaker's remarks, I believe the question was the income level or something like that, and when her frustration was found out, then a meeting was held.

"The problem is that if no one says anything the chairman doesn't know. The difference is, I say something."

Senator Young answered: "Mr. President, when the previous speaker came to my office, he apologized and said that he was a freshman senator and he never chaired a big committee. I informed him that it was just common courtesy, when he does make an amendment, to confer with the subject matter chairman."

The Chair, at this time, made the following observation:

"Members of the Senate, I believe we've gone kind of afar or strayed from the discussion of the amendment before this body. I would like to remind Senators to contain your remarks to the amendment. We seem to be talking about policy and we seem to be talking about what happened in the past. We ought to concentrate our attention on the amendment before the body. Thank you."

Senator Kawasaki then rose to remark as follows:

"Mr. President, certainly, I am in sympathy with your concerns but I think the remarks being made as to a possible violation of Rules 16 and 17 are very relevant to the issue on hand ... the discussion and the vote on the amendment proposed by Senator Cayetano.

"I'd like to enter into the records of the Senate Journal my concern

about Rules 16 and 17 having been violated, and my concern as to whether this would somehow reflect the decisions we make tonight relative to this budget.

"The State Constitution very clearly specifies the Senate body, as an institution of 25 members, et cetera. It also specifies that the Senate would adopt rules. We did adopt those rules and Rules 16 and 17 happen to be two of those rules.

"In the opinion of some of us, there has been a violation. You have ruled, and I respect your opinion that there was no violation, but just in the event that this matter is taken to court that indeed there was a violation, my concern, and I'd like to enter it into the record, is that perhaps it would nullify any action taken on the budget bill as a result of court determination that there was a rule violation, a rule provided for by the requirements of the State Constitution as it specifies how the Senate of the State of Hawaii is to be run."

The Chair responded:

"Just for information, so that we don't get in a full discussion on legality, the rules are for the operation of the Senate and does not have statutory authority so I believe we're fairly safe if we discuss policy which helps to facilitate, if possible, to expedite the work of the Senate.

"Again, I will caution the Senate, we should get on with our business. We should get back to the issue of the amendment.

"Perhaps you are correct, Senator Kawasaki, someone may challenge it. Every action that we take here on the Senate floor may be subject to legal challenge by the general public, whatever individuals may care to exercise that right."

Senator Abercrombie then rose and stated:

"Mr. President, I rise again because I quite agree with the remarks that you have just made and they are very important. I hope that the members of the body will do, as you say, try to get back on track with what it is we're doing here.

"I think it's unfortunate that one of the previous speakers had to stand up and start asking about whether or not there was rule violation and ask you for a ruling so that we can have

a vote.

"I mean that, if you ruled that the earth was flat and we took a vote and it came out 25 to nothing that the earth was flat, it wouldn't make it flat. It would mean for purposes of conducting business in the Senate the earth was flat. It may be that, as we both know, Mr. President, that perhaps before the evening is over we'll certainly know that the world would be spinning. I don't know if it's going to be flat. I may be flat before the evening is over. I hope not. But, you're quite correct in my judgment.

"I am urging the passage of this amendment and I'm not going to challenge your ruling on 16 and 17. I don't see the efficacy of that. We have a difference of opinion.

"I do want to focus on the point that you made with respect to whether or not we vote aye or nay on this amendment because it will be indicative of how we're going to regard the budget and our work product here and that is important. That is policy. I see you nodding your head and I only wish it was going to stay that way all night.

"This is the point I wish to emphasize. We have to come to a conclusion as to what we will do with this budget. We have to come to a conclusion as to how we will conduct our activities for the rest of the session and, as we all know, God willing and, hopefully, God isn't working too close at the moment, we have to continue on past the end of this session and in the next year.

"If we do not come to an agreement, Mr. President, and this is why I'm urging the amendment be passed, if we do not have a clear understanding of the relationship of Ways and Means to the rest of the members of the body who are not members of it, if we do not have a clear understanding as to what consultation, coordination, participation, etc. mean, not from the point of view of what we can put over on one another, what kind of semantic hoops we can jump through, if we are not able to do that, then I suggest, Mr. President, that we will have a situation in which, inevitably, bitterness and rancor, suspicion, mistrust, lack of morale, a whole series of what I would consider rather tragic, at best, desultory, and at worst, debilitating atmosphere will prevail.

"So, the reason that I think that this motion should pass and that this amendment should be passed is that not to get in an argument with the Ways and Means Committee, rather, to avoid one because if they can yield on this point perhaps we can reestablish a dialogue of some kind in some fashion.

"Not being able to do it or in a sense getting the message from this vote as to how things are going to be conducted, it would be very difficult for people to believe that they will, in fact, be subject to anything more than whether or not one can command the votes. There are all kinds of ways to deal with that as you well know yourself, Mr. President.

"I know from having witnessed some of your operations in the House of Representatives that the fact that one has a majority does not always necessarily mean that one has a majority of the capacity to effect the business at hand. And when people are put in the position where they have to decide whether their own course, as opposed to someone else's course, is something that has to be defended at all cost, it generally causes an unfortunate situation.

"Therefore, I suppose my conclusion is that I would ask the members to vote up on this amendment not so much by way of settling a contest, so much as by way of establishing in people's minds that we can indeed say that perhaps a more fruitful approach can be manifested in terms of cooperation with one another and that all will not be lost.

"As I say, a contest will not be won or lost with respect to this, but rather we can reestablish a basis of confidence. I think it's a good idea to pass the amendment on that basis because, after all, as has been indicated, this will be a matter for the conference committee, in any event."

At this time, Senator Uwayne asked for a ruling of conflict of interest and stated:

"Mr. President, I'd like to ask for a ruling of conflict.

"Mr. President, I had made a promise many years ago, but I now feel compelled to break that promise tonight. I dated a young lady who's one of the warm bodies in this particular amendment and since it was revealed that a former executive

director is a member of the Committee on Ways and Means and some of us have some personal friends, and I'm quite sure that this will come up some day in the future, I would like to reveal this to this body and ask for a ruling of conflict."

The Chair ruled that Senator Uwayne was not in conflict.

Senator Abercrombie then remarked:

"Mr. President, may I be forgiven for all my transgressions in the past with respect to this area, and I think it's necessary to remind one and all that those of us who try to lead an active social life on this small island had better stay friendly with everybody."

Senator Uwayne then added: "Mr. President, I want to clear the record, in case my wife may be listening, this was many years ago in college. Thank you."

The motion to adopt the amendment was put by the Chair and, Roll Call vote having been requested, failed to carry on the following showing of Ayes and Noes:

Ayes, 11. Noes, 14 (Aki, Chang, Cobb, Hagino, Holt, B. Kobayashi, Kuroda, Machida, Mizuguchi, Solomon, Uwayne, Yamasaki, Young and Wong).

Senator Chang, at this time, rose on a point of personal privilege and stated:

"Mr. President, on a point of personal privilege, I am concerned that the questions directed at the vice-chairman of Ways and Means during the debate on the previous question met by this body may have inadvertently impugned his integrity. I want to ..."

Senator Abercrombie rose on a point of order and said: "Mr. President, that's entirely out of line. I think you would have ruled ... I know you well enough, you never would have allowed such a thing to occur."

The Chair responded: "Senator Abercrombie, Senator Chang, the discussion on the previous question has already been ended. The vote has been taken. Perhaps later on on a point of personal privilege you can make clear for the record whatever comments you'd like to make."

At this time, Senator Fernandes Salling offered the following amendment:

"SECTION 1. House Bill No. 1, H.D. 1, S.D. 1, is amended as follows:

"1. PART IV, SECTION 121, Item F-1 is amended by deleting the following:

Anahola Development Plans (2500) to prepare plans for future development of the Anahola area, Kauai

	FY 1983-84	FY 1984-85
Plans	120	
Total Funding	120 C	

2. PART VI, SECTION 121, Item F-1 is amended by adding the following:

Waimanalo Residential lots, Unit 6, 38 Lots
On Site improvements to develop 38 residential single family lots

	FY 1983-84	FY 1984-85
Plans	860	0
Total Funding	860 C 0"	

The Chair, at this time, asked Senator Fernandes Salling: "I notice that all of the amendments you are going to offer pertain to Part IV. Are you going down each of these amendments separately or taking them in total? We've never had so many amendments."

Senator Fernandes Salling answered: "Mr. President, I would like to take each of them separately."

Senator Fernandes Salling then moved that the amendment be adopted, seconded by Senator Kawasaki.

At 9:07 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:09 o'clock p.m.

Senator Fernandes Salling then rose to speak in support of the amendment and stated:

"Mr. President, this amendment deals with the deletion of the following: Anahola Development Plans, 2500 acres, to prepare plans for future development of the Anahola area.

"I'd like to preface my remarks, before I go into this, by stating that I am the subject matter committee

chairman of the Hawaiian Programs Committee. I felt that after reading the rules as set forth in 16 and 17 that it was my duty, before I could recommend to the Ways and Means Committee, that I go out to the different islands and look at all of the land and all of the projects on the books, as recommended by the department (Hawaiian Home Lands) before making a recommendation and decision as to whether or not there was justification for the department's recommendations.

"I understood, as a member also of the Ways and Means Committee, that had I come within my ceiling, I should not have faced any problems with my capital improvement projects or my operating budget. It was pointed out to me when we first met in Ways and Means that I had a problem with my capital improvement projects. Therefore, I scheduled a meeting with the chairman at 12:30 midnight and took an hour of his time to clear it up and to show to the chairman and vice-chairman that I could come within my ceiling, and therefore asked their recommendation and approval of the capital improvement projects that I had substituted for those the department had recommended.

"The Anahola Development Plans - the department is asking for \$120,000 to do development plans for 2500 acres in Anahola.

"Now, I come from Anahola on Kauai. I'm familiar with this area. Of the lands there, I can say that about 70% of it has already been developed in the sense that a lot of it is being used for residential, agriculture, ranching. I went out and I talked to the residents and asked them what were the needs in this area and they said they needed more ranch lands, more farm lands, and these lands are good for ranch and farm lands.

"I questioned the department and I asked them what is really necessary for us to go out and have to contract for \$120,000 to prepare development plans for lands, perhaps 30% of the 2500 acres, and whether or not this couldn't be done in-house by their planners.

"I also recommended to them that they had at their disposal plans, county plans, Land Use Commission classifications that they could use to develop in-house, their own development plans, and thereby save the department \$120,000 which they could use to then apply to perhaps the construction of new homes.

"In light of that and the fact that the department could not justify why it was necessary for them to contract for development plans for approximately 30% of the 2500 acres, I advised them that I could not support this and would have to substitute it with what you see before you, which is Waimanalo residential lots, unit 6, 38 lots.

"This is for the construction of site improvements for 38 residential single family lots. The amount that I requested was 800; the amount the department actually recommended for this project was \$860,000.

"Now, in discussing this substitution with the department they were very much in favor of it because they said that they had already received monies from the previous year to begin construction of these 38 residential single family lots, and that it was necessary for them to receive this additional amount in order to complete the construction site development and thereby open 38 more lots, which I might point out to the body that, when I reviewed all of these capital improvement projects, I took into consideration also the needs of the Hawaiian community, and the need was for housing, especially on Oahu. Therefore, I substituted for the Anahola development plans the Waimanalo residential lots.

"Now, my ceiling that was set by Budget and Finance and by Ways and Means was \$840,000 for fiscal year 1983-84, but this total amount of \$860,000 was required by the department to complete this project, so I have exceeded by ceiling by \$20,000. But, in the next previous year, I made up for it by decreasing, coming within my ceiling by \$40,000. Therefore, I felt that this could be justified and I explained it to the Ways and Means Committee and the chairman and vice-chairman, and asked for their support in substituting.

"The answer that I got for my substitutions, this and the ones that I'll be going over, was that I couldn't do a 100 degree turn on this, that I could perhaps change things 30% or 40% but I couldn't change it totally regardless if there was no justification for these projects. I took exception to that and I told the subject matter committee chairman that I had worked very hard, gone out and looked at all of these capital improvement projects to see if they were justified and found that they were not and therefore I had to insist that I do take the 100 degree turn

and substitute projects that were justified for those that the department had recommended.

"This is the first amendment that I have to offer in this area for the Department of Hawaiian Home Lands. I ask that the Ways and Means Committee and the rest of the body here seriously consider what I have said and the fact that long hours were put into preparing this plan which would expedite housing for the Hawaiians community which is their need at this point and time, not \$120,000 to be contracted out for development plans when there is no need for development plans on the Island of Kauai in the Anahola area.

"Just one last statement as to the development plans. In questioning the department on how they go about contracting out for development plans and what these people do, I was told that essentially they go to the county and they get whatever records the county has on file as far as planning. They look at that; they go out and review the property maybe once or twice; they talk to the residents in the area to inquire as to what these lands are good for; and then they sit down and they work out a plan, and they bring it back to the residents after it's been completed and recommend that it be adopted by the department. This is essentially what they will be doing for \$120,000.

"In light of this, I'm asking that you support the substitution of the Anahola development plans with the Waimanalo residential lots. The monies are needed to complete this project, as I stated earlier. Thank you."

Senator Abercrombie, in support of the amendment, stated:

"Mr. President, I did not sit on the committee nor did I sit in the discussions in the Ways and Means Committee. I hope my plea, which I thought was quite eloquent on the last amendment for a consideration for the methodology of gaining dialogue, and I hope that after this explanation by the previous speaker, which seems entirely in order to me, and I will be the first to grant him, Mr. President, as I'm sure of both of us here in this position, that we are reliant upon the chairman and on the Ways and Means Committee for our information in this respect. I would like to know then from the chairman of the Ways and Means Committee what would be the answer to the previous speaker's points if he was to ask me not to

support the request for the amendment to pass?"

Senator Yamasaki responded: "Yes, Mr. President, the answer to all of the projects that were turned around by the chairman of the subject committee on all of the Department of Hawaiian Home Lands' requests for capital improvements were that there was not a 100 degree turn but a complete 360 degree turn.

"And as I said in my committee, over the 25 years that I have been serving in the Legislature, this is the first time that a subject committee chairman has ignored the request of the department and completely changed the projects and the programs of the department.

"And after conferring with the department, an individual by the name of Mr. Fletcher of the Department of Hawaiian Home Lands, confirmed that these projects are essential and that we should support the request of the department. Also, during the pre-session hearings of the department, these subjects were also covered."

Senator Abercrombie then continued: "Yes, thank you, Mr. President.

"It becomes more difficult for me to maintain my equanimity of spirit in the light of such reasoning, Mr. President, because unless I am mistaken we are the elected representatives of the people of this state whose duty it is to examine, presumably, with some degree of objectivity, taking into account, obviously, those philosophies, passions, ideologies that we possess individually, the human dimension, if you will.

"But, nonetheless, we try to come forward with at least a semblance of objective reasoning with respect to whether we approve or disapprove of a project or program or legislative policy.

"I have not served as long as the good Senator, who spoke previously, in the Legislature, but surely these halls and perhaps the halls over in Iolani Palace never heard a remark made that a Mr. Fletcher from the Hawaiian Home Lands came in and said that he wanted the money and that, therefore, the recommendation of the committee, duly constituted and authorized by yourself and the body, to conduct investigations, hearings and find conclusions about it, should

be ignored.

"I wonder, and perhaps it's something that should be taken into consideration ... the idea that if someone in a department has a different view from the chairman of the committee, the chair of the committee, that a debate shall ensue? And perhaps we ought to bring the people from the various departments in and we need not have a legislative session but, rather, we simply take the recommendations at face value or cloth, and send them on to the executive, somewhat like the activities that take place in the Soviet Union, for example, when the presidium meets. Now, that is not our function.

"I have yet to hear, again, and I think my questions are perfectly reasonable. They are not meant to be provocative. They are meant to invoke, rather, a rationale so we can defend ourselves when we go to conference as to what would be the justification for the change.

"The answer from the previous speaker was simply that somebody named Fletcher gave some testimony that said they needed it. The answer has to be, if we are to defend ourselves in public, precisely what did Mr. Fletcher say that contravened those sentiments as expressed by the chairman of the committee.

"Now, I would pause at one thing further. I think I'm in a very good position to do this because I can't benefit from any of this with respect to the Waimanalo residential lots or anything else. I have no conflict of interest. I don't own land; I own only a classic automobile with a hole in the floor at the moment, and I appreciate the fact that you have not indicated or parenthetically spoke about how many holes I have in my head at the present time trying to urge approval of this amendment.

"But, if in fact there has been a 360 degree change, Mr. President, I submit to you that I have been reading lately that if there is any department in this state which is more fouled-up and less able to make a decision, with respect to what is in the interest of the people whom they ostensibly serve, it is the department to which the chairman of the committee had reference to in her remarks.

"She went to see these projects and everybody who has dealt with this committee or its equivalent in the

House, as I have serving in the House, a revelation beyond revelation to me, knows and understands that if anybody is taking the shaft here, it is the people who are supposed to benefit from the Waimanalo residential lots and with respect to the Anahola development plans.

"So, again, I put forward, if this is to be a contest kind of thing, believe me, we will rue the day that we set this kind of situation going. If it is to be this kind of thing, at the very least the people who want to deny this amendment are going to have to explain beyond Mr. Fletcher, whoever he may be, wherever he may exist, either in these galleries or wondering about the streets of Honolulu or in the environs of the State of Hawaii.

"Can you imagine what it is going to appear to be to the people of Waimanalo residential lots when you go over and tell them the reason you can't have it is that Mr. Fletcher said you couldn't.

"There appears to have been a Mr. Fletcher, thank God, he doesn't appear to be Scot in origin, in the history of this department for decades and decades and decades.

"Here at last we have a chairman, and I will be the first to admit with respect to many of the projects that are listed ..."

Senator B. Kobayashi interjected: "Mr. President, if the speaker would yield, I will try to explain something of what Mr. Fletcher told us."

Senator Abercrombie responded and continued: "No, Mr. President, I would prefer to finish my remarks and then perhaps it would obviate the necessity of anyone having to make the explanation. On the other hand, such explanations as might be made as a result of my remarks might be more fully made, so, therefore, I will not yield at the present time, thus offering the previous speaker the opportunity to fully comprehend the entire gist of my remarks before making his remarks."

The Chair asked Senator Abercrombie: "Your answer is no?"

Senator Abercrombie answered and continued: "Yes, thank you. I appreciate your grasp, your insight into the matter at hand, Mr. President.

"So, my conclusion would be, and I

think that this is a situation that faces most of us here in the body, with respect to many projects that come before us of this nature and in other areas that generally the chair of the committee, especially one who has made a thorough study and I'm willing to take the word of the chair that she has in fact visited these sites and made these conclusions with respect as to whether they should be implemented, that if we as a whole are unfamiliar that in the absence of compelling testimony to the contrary from that presented by the chair in defense of his or her recommendation, that it is entirely within, not only within the purview of the body to pass these items into the budget, in this instance, to pass the amendment to see them included ... but it is, and I think it was mentioned before. It is the sensible approach to take because we will be best able to defend ourselves when it comes to the budget conference and, frankly, more importantly, best able to present to the public as a whole at the end of the proceedings here this year that we did a creditable job.

"Thank you, Mr. President."

Senator Fernandes Salling added: "Mr. President, I don't really know if Mr. Fletcher has taken the time to go out and see the projects as I have. I met with him once and that was during hearings. I wasn't advised at the time that I went to meet with the Ways and Means Committee at midnight that Mr. Fletcher would be there to refute all of the recommendations that I made as to substitutions here.

"I guess what I really can only say about this is that on all of these projects, the department could not justify their reasons for spending this kind of money. There were other means of, perhaps, preparing development plans such as doing it in-house or perhaps spending \$120,000 to prepare development plans for 30 percent of the land. None of this was brought to my attention, however. I was just guessing or suggesting alternative ways that they could go about doing this if they felt that they really had a need for these development plans.

"When I met with the department people to go over the reasons why I was deferring these projects they had recommended and, substituting those that I have here, they were in agreement with me, at the time. Mr. Fletcher was not present. I wish he had been because I think he's probably one that knows a lot more

about what's going on in the department than those people that were meeting with me. The department, nevertheless, agreed that this was a good substitution.

"I don't know what Mr. Fletcher said that night to the Ways and Means Committee. I can only say that I'm asking that, based on all the hard work that was done to put together this plan which can expedite housing which is the need in the Hawaiian community, that this body support my recommendations and not give the kind of weight to Mr. Fletcher who probably has never been out to see any of these projects and is one person in the department.

"Thank you."

Senator B. Kobayashi, against the amendment, responded:

"Mr. President, the projects proposed by the subject matter committee have great deal of merit. They deal with putting residents back on the land and deal primarily with site improvements for residential single family lots. I refer to the particular amendments here in question, F-1 Waimanalo residential lots; also, F-4 Panaewa residential lots; also, F-5 Kekaha residential lots; and, also, F-6 Keaukaha residential lots.

"There is, at least in my mind, a question as to the validity and worth of the projects suggested by HHL, but we found ourselves in a particularly difficult dilemma, that is, means of financing.

"When the subject matter chairman presented these amendments to us, included in Part A-1 and Part A-2 were the means of financing. They included \$11 million and on the sheet of paper in which these \$11 million were recommended, it said, 'General Funds.'

"It was shocking, at least to me, cash, \$11 million over and above these CIP items, \$11 million, approximately six-plus the first year, five-plus the second year. Upon speaking to her that evening, she explained to us that she really did not mean general funds but GO reimbursable bonds. Her term was 'hybrid GO reimbursable bonds.'

"We could not really get a good explanation as to how these bonds would be reimbursed because, indeed, they have to be. The Hawaiian Home Lands is in a particularly difficult

financial situation and would not be one of the best departments to reimburse any large sums of money. We asked the staff; the staff could not see how these monies could be afforded; staff contacted Budget and Finance; Budget and Finance could not find appropriate means of financing for \$11 million.

"We asked Mr. Fletcher, who I've never met before. He said he could not figure out how HHL could finance \$11 million. I, on my own, contacted a person in Budget and Finance who I respect and who's had over two decades, at least, of service in this area and he could not figure out how \$11 million could be financed. In addition, he told me, as far as he knew, there was no financial projection made of what the department could afford, and until such a projection was made Budget and Finance could not figure whether \$1 million, \$2 million, \$10 million or \$11 million worth of bonds could be supported.

"Question was asked of staff, again to Mr. Fletcher, are any of these projects salvageable? His reply, 'I don't know.'

"Question was asked of subject matter chairman, 'what if we cannot give \$11 million, either in cash or in GO reimbursable bonds,' because it would be very difficult to give each and every Senator in this room \$11 million. What would senior Senators be entitled to, \$30 million, \$40 million?"

Senator Abercrombie, on a point of order, stated: "Mr. President, it's not age, it's merit."

Senator B. Kobayashi continued: "Very good, Senator. The point however is that these projects may have merit but the question was means of financing.

"Do we make site improvements; leave site improvements on the ground, doing nothing with them, no residences on top of those site developments? Site developments without the residents, without the loans, without the money, just sitting there. We thought that was not a very good proposal.

"On that basis we looked upon it very skeptically.

"I asked the question of subject matter chairman, 'What should we do if we cannot give you \$11 million?' The reply was, 'HHL CIP proposals

were worthless; they shouldn't be funded; I'd rather have zero than have those HHL proposals adopted.'

"This left us in a quandry. The result was, rather than give a department entirely zero we thought that at least, perhaps, some or one or two of their proposals might have merit and might have legitimate means of financing, hence our recommendations."

Senator Fernandes Salling responded: "Mr. President, first of all, let me just say that Mr. Fletcher is not part of the fiscal department of the Hawaiian Home Lands, so any questions that may have been addressed to him regarding whether or not the department had funds for the construction of homes should not have been addressed to this man.

"He is, according to what the department says, the project planner or when he testified before the Ways and Means Committee at the outset, he was called the planner. He was the man that was in charge of advising us on the development plans. I was advised that the person in charge of the fiscal management of this department was Mr. John Rowe.

"Mr. John Rowe and I met in my office. Mr. Rowe provided me the figures that were reflected on that statement that the Senator is referring to. Those figures were what I based my recommendations on in my budget.

"Now, being a freshman Senator, I mistakenly said general funds. This was pointed out to me and I corrected myself before the committee and said that this was really GO funds. GO reimbursable hybrid, yes, because as we started to look further into the department and how it operated, our budget person said that this is an unusual situation; these are GO bonds, reimbursable, a hybrid type in the sense that the Governor can recall the principal and interest that is being paid by the beneficiaries at any time; therefore, he termed that a hybrid GO bond. That's why I used the statement when I discussed this with Ways and Means.

"The point is, Mr. President, when I went back to my office knowing that there was no way that I could get these monies for these projects that I substituted unless I could find money for the construction of homes, I contacted the department. I contacted the man in charge of the fiscal office of that department. We

went over all of the projects that they needed money for the construction of homes, double-checked and found they had given us erroneous information.

"Out of the 119 homes that they were going to build in Waianae, which they had monies for, they only needed monies for 50 homes. We were able to take those monies and say, 'all right now, we have additional monies here for 50 homes.'

"This also applied to Nanakuli. At the outset they gave me figures that they needed money for 111 homes. I checked and found out after questioning repeatedly that they only needed money in Nanakuli for 50 homes. So we were able to use those funds to justify the construction of these Waimanalo homes.

"One other area that they neglected to point out to us was that they had a million dollars sitting in an interest account that they annually received -- \$1 million. This was again additional monies that we could use to justify construction of these projects.

"Now, I took these two and brought it to the attention of the chairman of the Ways and Means Committee the following morning. The vice-chairman wasn't there. This was a meeting I had scheduled with the chairman, upon receiving this new information from the department, knowing the concerns of the committee that they could not go along with my recommendations unless I could come up with monies to fund these homes.

"I pointed out to the chairman of the committee the errors and mistaken information that the Department of Hawaiian Home Lands had given us. The chairman, at that time, answered that I couldn't do a 100 degree or a 360 degree turn.

"Based on this information, Mr. President, I'm asking this body to support my substitution for the Anahola development plans. According to the department's fiscal office there are monies there to build these homes; that the \$1 million that they receive annually will go a long way toward building these homes.

"I have nothing further to say."

Senator Solomon spoke against the amendment and remarked:

"Mr. President, I would just like to go over some interesting facts that we have before us.

In listening to the subject matter committee chairman, during our Ways and Means Committee briefing period, Monday is when we made our decisions, I'd like to inform my fellow colleagues that the subject matter committee chairman (on Hawaiian Home Lands) wasn't even there to defend these projects when her program came under review.

"I'm most certain that all my fellow colleagues on the Ways and Means Committee are very much aware of the acute problem that HHL is experiencing and the tremendous need on the part of the Hawaiian community for housing.

"What I feel here is, a question on the matter of process, as Senator Abercrombie has talked about so eloquently and, also, Senator Cayetano.

"I, too, am a freshman legislator.

"Members of Ways and Means sat in briefing sessions for hours. We started at 9:00 in the morning and ended the next morning. On Monday, we started at 9:00 o'clock, we took a short recess for session and for lunch then we went back into session. It continued on to Tuesday. Tuesday morning, at approximately 4:30 a.m., the subject matter committee chairman's programs came up for review before the committee; she was not even present to defend her CIP requests.

"I feel that all of us here owe it to our fellow committee members, if they expect support from their colleagues, to at least be present so that they can defend what they want and what they deem necessary for their constituency that they are representing. I don't think I have to say anything more about this.

"Granted we were not all a part of the meetings with Mr. Fletcher, the meetings with so and so and whomever, but we were all there at the Ways and Means Committee briefings.

"The subject matter committee chairman was very upset; she felt that the Ways and Means Committee had gotten down to personalities and therefore chose to leave.

"I'm kind of emotional about this because I feel that this is the process and that we have to be able to stand our ground and to defend what we believe in and to at least give the opportunity for the other members on

Ways and Means to question the committee chairperson.

"Thank you very much, Mr. President."

Senator Fernandes Salling, in response, said:

"Mr. President, I must respond to the previous remarks.

"This was a very confusing area for all of the members of the Ways and Means and that is why I scheduled the meeting with the chairman the previous evening, to go over in detail some of these changes that were being made and my reasons for making them. I left that evening with the assumption that they had accepted my explanations.

"Based on that, when it came to decision-making that evening, I felt that the Ways and Means Committee was not supportive of these projects and it would have been an exercise in futility for me to have stayed there to defend it any further. That, basically, is the reason why I left that evening. However, I did make another attempt to contact the chairman the next morning to explain and to ask for his recommendation and the committee's recommendation of these substitutions. Thank you."

Senator Abercrombie, speaking in favor of the amendment, further remarked as follows:

"Mr. President, may I add parenthetically that the wisdom of calling for debate is never more manifest in sessions like this for the revelations that take place and our opportunity to gain, if not regain, perspective not only about the process but on the subject at hand.

"Now, in this instance, surely, Mr. President, we are faced with an amendment. Amendments are made, I suppose you could say, for frivolous reasons on occasion; they are made for very good and proper reasons.

"I think we have both been in situations, as have many members in the body, where amendments had to be made because of errors, human, mechanical, in the budget, on bills. We even have a section in many bills where we say 'technical errors have been made.' We've recommitted bills in order to take care of those technical problems and so on, all the way from very substantive matters to technical matters.

"The subject before us this evening is not whether somebody was able to stay up till 4:30 in the morning. The subject is not even whether the chair was called at that time ... courtesy, as has been mentioned this evening, for example. It doesn't surprise me that somebody might be asleep at 4:30 in the morning. It might not even surprise me that somebody was awake at 4:30 in the morning when they might better be asleep than awake, with respect to how clear-sighted or clear-headed they might be in terms of what is being heard, let alone listened to.

"Now, both you, Mr. President, and myself and others here have been through these kinds of sessions before. We know what a grueling task it is to go through. I have gone through sessions with the chairman of Ways and Means Committee. I know his fortitude with respect to these sessions and I commend him for it. But the question then becomes not whether one was able to survive until 4:30 in the morning or whether one was in a contest at 4:30 and was able to arm wrestle one's way through the defense of the project but, rather, given the information that the chair has presented to the body this evening, with respect to the amendment, is it a compelling argument to pass the amendment, given the information from the chair that she shared certain views with the chairman of the Ways and Means Committee at certain points and time, was directed to do certain things at certain points and time, with respect to funding for housing, went ahead and did that and returned with the information. Again, whether it is with respect to courtesy or whatever it is, this kind of information, it seems to me, compels attention with respect to the amendment.

"So, whether it is a question of the facility of the chairman to be there at a certain time or whether all the information was not quite developed at the moment, I, for example, with respect to the passage of this amendment, in the briefing that I had with the Ways and Means Committee, learned of a transportation item, crossed item which previously I had had no information, I was surprised to find it there. The reason that it was there is that since I had made my budget presentation to the Ways and Means Committee there had been a change.

"Now, obviously, I could not have

known the change was going to be made before it was made when I had no information that such was going to be the case.

"Now, in this instance, the chair has indicated to the floor, to the members here present, that she was able to meet certain of the criteria and conditions and requests of the committee. Whether they were all met under circumstances which pleases everybody from the logistical point of view is not the point because we must deal here with the substance of the amendment.

"So, again, if this is to be put into the form of a contest of wills, who will be the winners and who will be the losers.

"Mr. President, you and I will be here for the rest of the time, as I said, God willing, unless for whatever perversity we're guilty of God strikes us dead, or worse keeps us doing whatever we're doing, I'm not sure which is the greater punishment. But, in any event, we will possibly be here next year. What we do or don't do, and I'm very pleased that the previous speaker said that we should ignore personalities and the rest of it because I think that's a good idea.

"Personalities in the sense of animosities or whatever comes up because they come and go and I don't notice that the Constitution says that we should all love one another. It may be a good idea, philosophically, but it just says we're supposed to work together for a period of time. So, with that in mind, who are we talking about?

"We are not talking about what pleases me, Mr. President, or you or the chair or any of the previous speakers. We're talking about those who will occupy the Waimanalo residential lots, unit 6, 38 families, for site improvements and develop 38 residential single family lots.

"Now, God knows also, and not only God but apparently the Hawaiians also know that they've been a little on the short end when it comes to those residential lots. So, I surely would hope that you would agree that the substance of our discussion here is, should there or should there not be funding, given the information that the chairman has provided for these folks out at Waimanalo. That's who we should be concerned about.

"Whatever misques we have and

whatever disagreements we might have or whatever emotional or otherwise psychological or ideological conflict we may have at the moment, and all the rest of it, for purposes of these folks in Waimanalo, it's immaterial. The only question for us to decide at this point is, do we want to assist these people or do we want to leave them in the cold. The effect of this will be, if we vote it down, is to leave them out in the cold.

"Perhaps you can explain to them that there were some technical difficulties or logistical problems associated with the passage or nonpassage of this amendment but I don't think that will cut much ice with them, and I think for good reason. This is another question of justification.

"Mr. President, both you and I and I'm sure members on the floor here have often in the past voted for items that we felt were in the public interest even if we were not particularly happy about all of the items that were there or how they got there, most especially with budgets.

"I dare say, Mr. President, that both of us and all the members here have probably, virtually with every budget, voted for items in that budget that we were not entirely pleased with there but, nonetheless, voted for the budget because of the overall good to be accomplished.

"The thrust of the chair's argument tonight is that, given the information that she's provided, given the information that she developed as a result of the requests, and regardless of whether or not everyone was satisfied as to the particular elements that were involved as to how we got to the budget here before us this evening, that the amendment process provided for to meet just such contingencies is something that she wishes to commend to us for our approval.

"On that basis, it seems to me entirely in order to pass it, not because the contest will be divided one way or another but because the public interest will be served in general and, in particular, deserving people will have an opportunity to have a home.

"Thank you."

Senator Cayetano then added: "Mr. President, following up on Senator Abercrombie's remarks, I think the focus should be on the merit of this amendment itself.

"I would like any of the previous speakers from Ways and Means to inform the members of this body whether they have scrutinized this Waimanalo residential lot budget; whether they believe that this project has merit, and if there is any problem with the way it is being funded.

"I think those questions are important for us to learn the answer to before we decide on voting for this amendment."

The Chair questioned Senator Cayetano as follows: "Senator Cayetano, are you addressing that to any particular individual?"

Senator Cayetano answered: "Mr. President, since there are no volunteers it appears that the vice-chairman is particularly knowledgeable about this area, I would address the question to him.

The Chair asked the vice-chairman if he would care to answer the question and Senator B. Kobayashi replied: "Mr. President, I'm not particularly knowledgeable about this area."

Senator Uwaine, on a point of inquiry, asked:

"Mr. President, just a parliamentary inquiry. Just to make it clear, as far as any amendment in passing, or any particular bill that we're going to be voting on, it's a matter of 13 votes, not the majority of members present, am I correct?"

The Chair replied: "Senator Uwaine, that's correct."

The motion to adopt the amendment was put by the Chair and, Roll Call vote having been requested, failed to carry on the following showing of Ayes and Noes:

Ayes, 10. Noes, 15 (Ajifu, Aki, Chang, Cobb, Hagino, Holt, B. Kobayashi, Kuroda, Machida, Mizuguchi, Solomon, Uwaine, Yamasaki, Young and Wong).

Senator Fernandes Salling then offered the following amendment:

"SECTION 1. House Bill No. 1, H.D. 1, S.d. 1, is amended as follows:

1. PART IV, SECTION 121, Item F-2 is amended by deleting the following:

Hoolehua Development Plans (L3100 Acres) to prepare plans for future development of the Hoolehua area, Molokai

	FY 83-84	FY 83-84
Plans	120	0
Total Funding	120C	0

2. PART IV, SECTION 121, Item F-2 is amended by adding the following:

Anahola Drainage System (7 lots) to remedy the flooding problems and award seven (7) residential single family lots.

FY 83-84	FY 83-84
100	0"

Senator Fernandes Salling moved that the amendment be adopted, seconded by Senator Abercrombie.

Senator Fernandes Salling, in explanation of the amendment, stated:

"Mr. President, this is an amendment to House Bill 1, Part IV, Section 121, Item F-2, again, Hawaiian Home Lands, deleting the Hoolehua development plans.

"The department requested \$120,000 for these plans. I went to Molokai; I looked at the area. Ninety percent of the land was already being used for farming purposes. The other ten percent of the land was fenced off for ranching. The project manager in that area advised, when I asked him what were the plans for the ten percent of this Hoolehua land, he told me that they were going to be using it for ranching and that that was the best use for these lands.

"In light of that, I again advised the department that I could see no justification for the project to spend \$120,000 for development plans for ten percent of the Hoolehua area and I substituted for that project a \$100,000 request for the Anahola drainage system. The design, I understand, has been completed. This is the problem that they've had for many years. It's prevented them from opening up seven lots.

"With \$100,000 they would be able to take care of this drainage problem and thereby open seven lots.

"Now, the same considerations regarding funding that I mentioned earlier applies in this case also, as far as monies for the construction of homes. There are monies available

within the department for the construction of these seven lots.

"In deciding the substitution of the Anahola for the Hoolehua, I looked at the entire statewide construction activity and found that homes were being built on Maui and on the Big Island ... Hilo, Panaewa, and Keaukaha, Maui, and these would open up seven lots in Anahola on the Island of Kauai.

"Mr. President, I ask for the body's approval of this substitution which would again meet the needs of the Hawaiian community, even if it is only to provide seven lots, it's providing seven more new homes for the Hawaiians. Thank you."

Senator Abercrombie, speaking in favor of the amendment, stated:

"Mr. President, speaking in favor of the amendment, I'm going to ask a question rather shocking to me.

"One of the previous speakers, with respect to the last amendment, after having lectured us on the economics of bonds, the economics of the expenditure of \$11 million, indicated somewhat later, they had no particular knowledge of the project, and then we made a vote.

"Now, not all of us may have particular knowledge, again, of all the projects that are here, so we tend then to, at least my experience has been, to rely upon the judgment of the chair of the committee, with respect to those projects, especially when the chair is able to provide information and answer questions that have been posed to the chair.

"We are in an odd situation this evening ... one of the few times in my experience in the Legislature in which the chair finds herself explaining to the body why something should be there, not having been questioned as to whether or not the project is worthwhile because I have heard little in the way of explanation or inquiry. I should not say explanation but inquiry ... on the part of those who oppose other than by rote, vote indicating no ... those who oppose the proposition put forward by the chair as to what the reason for rejecting the amendment is.

"Now, if the reason is that simply because the chair is recommending it, I submit to you that not only with this, but with other amendments and I mention other amendments because

previous speakers have mentioned them by description, as a matter of fact, of the amendment, who will take the shaft this evening will be the Hawaiians once again.

"What purpose is to be served by this is not quite apparent to me at the moment. The chair has indicated that she has found the proper funding or that she has found funding in such a manner as to accommodate the fiscal plan of this Legislature to the degree it can be discovered and that the beneficiaries of the funding, as outlined by the chair, will be those people in whose interest we are supposed to act this evening and other evenings and days to come.

"My question is, again, whether it is the chair of Ways and Means, or anyone who wishes to vote no, could you please tell me, and not me personally, Mr. President, as you know, but could you please tell us for purposes of the record, what it is that is being objected to; what you would offer as an alternative, and how we are to answer these people who will benefit from this amendment when we tell them no?

"Can I get a volunteer?

"Well, then, I will ask the chairman of the Ways and Means Committee if he could respond to those inquiries, Mr. President."

The Chair asked the chairman of the Ways and Means Committee if he would yield to the question and Senator Yamasaki replied:

"Mr. President, all I can say is that this project is priority number 2 of the Department of Hawaiian Home Lands."

Senator Abercrombie then asked: "Are we in the same dimension, Mr. President?"

The Chair answered: "Senator Yamasaki answered the question. I'm not sure if the answer is satisfactory to you."

Senator Abercrombie continued:

"Mr. President, I for one have more and more respect for Mr. Einstein's theory of relativity. As you know we deal with mass and velocity, and it's the ellipses of the universe that is the case in point, and it never ceases to amaze me as I try in my finite way to comprehend the universe as to just how much of an end-run an elliptical

move can result in. Nonetheless, I press forward.

"It is a failing of running guards in football teams. I'm sure my colleague who at one time was protected by people like me ... I believe he was the one in the white shoes, would be the first to admit that pressing forward is a virtue in some respects and a failing in other respects of running guards.

"One other thing about running guards, they're generally running at someone. It's, as I say, a virtue in some respects. In other respects, it puts you into a position where when you try to convince your colleagues that a course of action is warranted, that if they have another agenda in mind, it becomes very difficult to carry my somewhat strained analogy, nonetheless appropriate analogy, a bit further. It's awfully hard to play football with somebody who's playing marbles.

"Now, in this instance the chair has put forward a reasonable and rational explanation as to why she believes the amendment is warranted and in our interest and interests of the people who will be affected to pass it.

"What appears to me to be happening, and if the pattern continues with other amendments, is that we will be delivering a message to the people involved that we are more interested with the games that are being played in here than we are interested in their benefit and what is in their interest.

"If that's what we want to do, we're most surely capable of doing that, Mr. President. Of that, I have no doubt, but I would, as I indicated previously and in this instance, pay all due respects to your talents in this area, I would reposit for the attention of the members that once you start to play such games you may find yourself not a spectator but a participant and when the games get rough you may find that you get your face dirty.

"If that is what we want to do, I'm sure that there are enough people here able and willing to make the contest. I don't know if it will make it interesting but I guarantee that they will make it memorable.

"I, myself, as you know, am the most reasonable man, as you've indicated to me on occasion, that it's just that sometimes I'm more reasonable than others. On this

particular occasion, I hope you will agree, Mr. President, by your vote, and I'm sure that if you carry the affirmative for this amendment, the vice-president would be happy to stand in your place so that you could assume the microphone and join me in urging the passage of this amendment and in any other, of course, that you would feel have merit.

"I would urge, Mr. President, that if you do feel that it has merit that you do so so that we could establish that there is not a pattern which will be devoid of consideration of merit but rather one of numbers, per se. And if your voice should be added, I have no doubt that it will have an influence on those of us, who not only in past but now, would welcome you, not just the soothing tones of your positive approach, that is to say, an affirmative approach, one that would make our hearts all go aflutter with gratitude.

"In addition, I'm certain you would agree, would find us all in a mood then, perhaps, not to regard this amendment or any other amendment as one in which great issues were to be settled other than the amendment itself. Thank you.

"Would you care, by the way, to let us folks ..."

The Chair answered: "Senator Kawasaki looks very tired, I think I'll just stand here."

The motion to adopt the amendment was put by the Chair and, Roll Call vote having been requested, failed to carry on the following showing of ayes and noes:

Ayes, 10. Noes, 14 (Ajifu, Aki, Chang, Cobb, Hagino, Holt, B. Kobayashi, Kuroda, Machida, Mizuguchi, Solomon, Yamasaki, Young and Wong). Excused, 1 (Uwaine).

Senator Fernandes Salling then offered the following amendment:

"SECTION 1. House Bill No. 1, H.D. 1, S.D. 1, is amended as follows:

1. PART IV, SECTION 121, Item F-3 is amended by deleting the following:

Hydroelectric Power Plants, Molokai Water System. To construct small scale hydroelectric power generating plants in the Molokai Water System to develop electrical energy to be used for

the System's consumption or sold to a local power agency under a cogenerator contract.

	FY 83-84	FY 84-85
Construction	500	0
Total Funding	500	0"

Senator Fernandes Salling moved that the amendment be adopted, seconded by Senator Abercrombie.

At this time, Senator Cobb rose on a point of order and remarked as follows:

"Mr. President, on a point of order, Cushing's Manual of Parliamentary Procedure on pages 109 and 110 is quite specific in that when an amendment is proposed by adding a paragraph or words and the amendment is rejected, it cannot be moved again to insert the same words or part of them.

"Any project contained in this series of amendments, where there is an overlap, therefore, in that prohibition and thus be barred as having already been voted upon.

"I would like to ask the movant of the amendment, in the interest of time, if she is willing to consolidate the rest of the amendments, discuss them, and have a single vote.

"The alternative, of course, is that then the budget will slowly, piece by piece, be amended to death."

Senator Fernandes Salling responded: "Mr. President, I would prefer to address these item by item."

Senator Cobb continued: "Mr. President, continuing on the point of order, then I think all of the discussion on the so-called merits of this is nothing more than a delaying tactic to kill the budget."

The Chair responded: "So be it; we're all grown ups. Senator Fernandes Salling, will you proceed."

Senator Fernandes Salling explained the amendment as follows:

"Mr. President, this is to delete the following, and the reason for doing this was that I could substitute the two previous projects and thereby come within or very close to my ceiling, Mr. President.

"On the hydroelectric power plants, I did go out to Molokai and talked to the project manager and asked him

what the plans were for these plants. He said the department had no idea what they were going to do with it at this point and time. Yet, the department was asking for \$500,000 to construct these hydroelectric power plants.

"In questioning him, I found that the purpose of this hydroelectric power plant was for them to reduce their large monthly electric bills, \$18,000 to be exact on the Island of Molokai.

"I suggested to the department, after discussing who was on line with the water system that the department controls on the Island of Molokai, I found that the County of Maui was one of the people who benefited from the domestic water system on the Island of Molokai, and that they were paying 41 cents a gallon, the same amount as what the native beneficiaries were being paid; yet, further down the road, with system that was the County of Maui's domestic water system, they were charging Hawaiians and other residents in the area \$1.50 a gallon.

"I suggested to the department, since they had no plans for the \$500,000 they were requesting that they try and defray the cost of their electric bills by charging the County of Maui at least the same charge that the County was charging residents that were benefiting from their own domestic waterlines.

"For that reason, I again discussed the deletion with the department and they agreed with me, and based on that, I ask for this body's consideration to delete this hydroelectric power plant project from the CIP projects. Thank you."

Senator Abercrombie, in support of the amendment, stated:

"Mr. President, speaking in favor of the amendment, I am a bit chagrined as to the indication by one of the previous speakers that by considering the amendments as they arise that it is the movant's intention, let alone task as was indicated by oh, such pious tones, delay, or even defeat the passage of the budget."

The Chair interjected: "Senator Abercrombie, I think the issue was resolved. The Chair has ruled that the amendments will be handled one by one, therefore, it's moving."

Senator Abercrombie continued: "Thank you, Mr. President.

"The reason that I did mention that is that, as you know, lessons could be taken from yourself as to how to accomplish the task, and I was mentioning them in the context of this item because we do not have these items before us in the budget, and if we do not take them up on this basis, how will we be able to indicate to people who are on the side of the people who would benefit and who would prefer to follow another course for whatever reason, inasmuch as no reasons have been given to defeat the amendment.

"I think it's very important for purposes of the record, for people who wish to check the record in the future for whatever reason, that these items all have a very thorough discussion and that it would be reflected in the Journal and then those who would wish to make reasonable and rational decision as to both the efficacy of the attempt to pass the amendments and as to the merit of the individual items will be able to do so.

"In this particular instance, I would again, Mr. President, hope you will agree perfectly reasonably and ask for any volunteers with respect to why the reasoning of the chair of the committee is not compelling with respect to its passage."

The Chair responded: "Senator Abercrombie, the answer to that question would be that they've already given a general answer pertaining to most of the items covered by the amendments to the budget and, therefore, it is not necessary to be repetitious."

Senator Abercrombie continued: "Thank you, Mr. President.

"Then may I ask specifically the Ways and Means chairman to respond with respect to the points raised by the chair of the committee as to why she believes the item should be passed. Is there some measure of insight that the chairman of Ways and Means can give to us that would indicate as to why this would not be in our interest and the interest of the people whom it would serve?"

Senator Yamasaki responded: "Mr. President, for the interest of time, I shall not read the details of two pages of justification but would like to state that this item is priority number three of the department's request for capital improvements. Thank you."

Senator Abercrombie remarked: "Is that, Mr. President, ... am I to take that as a recommendation from the chairman of Ways and Means that it be passed."

The Chair answered: "Not the amendment, but the substituted amount."

Senator Abercrombie further remarked: "Mr. President, but is it possible for us to know why the amount is as it is in the Ways and Means budget, as opposed to that recommended by the chair of the subject matter committee?"

The Chair asked: "Mr. Chairman, would you care to respond?"

Senator Yamasaki replied: "The question was answered, I believe."

Senator Abercrombie further remarked: "Mr. President, again, it may be that I've entered a new era of physics. It apparently ... the answer came so fast that I was unable to hear it.

"The answer was faster than the speeding bullet going by me. It probably wouldn't be the first time that's happened, but I must admit that inasmuch as the chairman of the Ways and Means Committee was characterized at one point as being weary at this juncture, I marvel at his speed in this area, and I commend him for it. Thank you, Mr. President."

Senator Kawasaki then rose to support the amendment as follows:

"Mr. President, I speak in favor of the amendment, and before doing that I just want to make a comment.

"I'm a little concerned about the perspective, apparently, that prevails in this body. It seems to me, voting for an amendment that was proposed tonight that seems logical in the way of an explanation from the subject matter committee chairman, voting for it enhances, it seems to me, the chances of the total budget bill passing.

"I must admit to you in all candor that I did not know the specific reasons for each and every one of these CIP projects that were outlined by the chairman of the subject matter committee, but in trying to listen very objectively and dispassionately the explanations that she had given for the advancement of these

amendments, I was quite impressed that it makes a lot of sense.

"It makes a lot of sense to us who claim to be trying to protect the public interest, who claim to be diligent enough in our recognition of our responsibility to take each and every issue and, particularly, if the issue involves a helluva lot of money at a time of fiscal restraints that has been articulated by everyone.

"It seems to me that if some of these amendments are good, to vote for it is just plain common sense.

"It improves the budget bill that we hope to advance to the House of Representatives across the rotunda as our product. A product in which we have spent time, effort, and earnest consideration.

"I think this amendment that was advanced is a good one. If according to the format already established here is any indication, the voting is going to follow a pattern. My comment a week ago that after 16 years of being in this body I came to the conclusion votes are not as much decided by the merits of the issue but more often than not, unfortunately, on the basis of emotion, on the basis of petty factional political games.

"I'd like to see proof that I am profoundly in error on this observation.

"I would urge that this body maintain the posture that I've always been very proud of as a Senator for 16 years. At least in this body we try, as best as we can, to base our votes on the basis of merit not on emotion, not on blind loyalty to some temporary political expedience.

"Let us vote intelligently. I urge voting for this amendment."

The motion to adopt the amendment was put by the Chair and, Roll Call vote having been requested, failed to carry on the following showing of Ayes and Noes:

Ayes, 11. Noes, 13 (Aki, Chang, Cobb, Hagino, Holt, B. Kobayashi, Kuroda, Machida, Mizuguchi, Solomon, Yamasaki, Young, Wong). Excused, 1 (Uwaine).

At 10:27 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:36 o'clock p.m.

Senator Fernandes Salling then offered the following amendment:

"SECTION 1. House Bill No. 1, H.D. 1, S.D. 1, is amended as follows:

"1. PART IV, SECTION 121, item F-4 is amended by deleting the following:

Waimanalo Residence Lots, Gravity Sewer System

To prepare detail designs and plans to construct a gravity sewer system for sewage disposal for half of the existing 510 homes in the Waimanalo residence lots subdivision, Oahu (The other half already have such a system.)

	<u>FY 1983-84</u>	<u>FY 1984-85</u>
Design, construction	100	1,000
Total Funding	110 C	1,000 C

"2. PART IV, SECTION 121, item F-4 is amended by adding the following:

	<u>FY 1983-84</u>	<u>FY 1984-85</u>
Panaewa Residential Lots, Unit 3	-0-	1,040,000

To construct site improvements to develop 40 residential family lots."

Senator Fernandes Salling moved that the amendment be adopted, seconded by Senator Abercrombie.

Senator Fernandes Salling, in support of the amendment, stated:

"Mr. President, this is to Part IV, Section 121, item F-4, amended by deleting the Waimanalo residential lots, gravity sewer system, 'to prepare detail designs and plans to construct a gravity sewer system for sewage disposal for half of the existing 510 homes in the Waimanalo residence lots subdivision, Oahu.' The other half already has such a system.

"The design monies for '83-'84 of a \$100,000 and construction monies in '84-'85, as recommended by the Department of Hawaiian Home Lands for \$1 million.

"I'm amending it by deleting that and adding the Panaewa residential lots, unit 3, to construct site improvements to develop 40 residential family lots; appropriations, FY 1984-85, \$1,040,000. This is within

my ceiling for the fiscal year 1984-85.

"Mr. President, again, I talked to the Department of Hawaiian Home Lands for their justification of the Waimanalo residential lots gravity sewer system. They told me that they had received a number of complaints for pumping of cesspools and that this was going to be necessary because of this Makapuu interceptor lines that the federal government was going to be funding along with the City and County of Honolulu and they could tie in to this Makapuu interceptor line which would then connect to the Waimanalo sewage treatment plant.

"According to the residents, when I went out into the area, they told me that they had no problems with their cesspools. There was only one street with five homes that had said that they had cesspool problems.

"Now, Mr. President, we're talking about 300 homes of which five homes have cesspool problems. I questioned the department about the need to fund this in 1983-84-85. They told me it was necessary because of the federal funds they were receiving for the Makapuu interceptor plant.

"In further questioning, I found that the City and County of Honolulu was to put up a share in building this Makapuu interceptor plant. However, in looking at the records from the Department of Planning and Economic Development and the funds provided to the Department of Hawaiian Home Lands, I found that other than the City and County of Honolulu, matching the federal monies to the Makapuu interceptor plant, the Department of Hawaiian Home Lands took \$680,000 of the money that was supposed to be used for the Waimanalo residential lots, the completion of those lots which I referred to in my first amendment, took those monies and used it to match the federal funds and, in turn, is planning to turn this project over to the City and County of Honolulu.

"The City and County of Honolulu, then, would assess the native Hawaiians and will use this system to also benefit 300 homes, not native Hawaiians but others who live in the Waimanalo area because the department could not justify the need for this gravity sewer line.

"And I have to point out, a gravity sewer line is from the mountain down.

"It's gravity, okay, as opposed to a

sewer line ... other sewer type alternative plans that they may have.

"Waimanalo, most of you are familiar with. Most of Waimanalo is flat. I pointed out to the department that they were going to get into the same kinds of problems they did in Molokai. They have to then purchase pumps; they're going to look at high cost of electricity because they're looking at installing a gravity line.

"I asked who had done the studies for this gravity line. Did they go out and contract with a consulting firm, a professional firm to provide the studies to recommend what kind of sewer line they should have in that Waimanalo area; whether or not it was really needed?

"My answer was that this was done in-house by their engineer.

"The department has one engineer and he is a hydraulic engineer.

"Now, I looked at this and I thought, on the other hand the department is asking for \$120,000 to go and contract for development plans for 10 percent of 2500 acres, and I thought the money should be used in a case like this, rather than for development plans for contracting out to a consultant to provide them some information as to what kind of sewer treatment plan they should have in Waimanalo and if, in fact, it is really needed, and not to be taking on something as complicated as sewage treatment plants and doing it in-house by their one engineer who is a hydraulic engineer.

"Based on that and finding no justification and answers by the department as to why this was necessary, and also finding that there was no commitment from the federal government that these funds to build this Makapuu interceptor line would be made available by the year '84-'85 when the department said they needed this million dollar appropriation in order to tie in to complete the gravity line and to tie in to this Makapuu interceptor line, I recommended deferral of this project, and substituted Panaewa residential lots on the Big Island for the construction of 40 homes.

"Again, looking at the needs of the native Hawaiians and finding that they needed homes in the Hilo area, and knowing that in funding \$1,040,000 in '84-'85 I would be within my ceiling for CIP projects; and based on this, I made the

recommendation to the Ways and Means Committee and was turned down.

"I am here tonight to amend, to ask that you reconsider these projects and that you take into account why I have asked that these projects be substituted with other projects that are meritable.

"I've gone out and I've seen these areas, these sites. I'm here tonight to ask that you support what we're trying to do with the Hawaiian Homes Department, which is to expedite putting the people back on the land.

"The monies are there, if it's only being used and applied wisely as to projects that have merit. We can expedite this and put the Hawaiians back on the land.

"Thank you."

Senator Abercrombie, speaking in favor of the amendment, stated:

"Mr. President, speaking in favor of the amendment, again, I commend to the attention not only of yourself and the members, but of the people in the gallery because this is in fact a democracy that we have here, and you're seeing votes taken and people have to be accountable. And the way we're accountable here is that a record is kept and that's why we're doing this, of course.

"Because I tell you, again, I've not been here as long as some other members in this chamber but in the years that it has been my privilege to serve in this Legislature seldom, if ever, have I heard any chairman get up and time after time after time, virtually without any notes, without any kind of special preparation, be able to explain in more articulate detail the why and wherefores of what she is proposing.

"Seldom, if ever, have I heard a chairman take to the members assembled an argument, a plan, a proposal, a perspective, more compelling than that just given by the previous speaker, not just with respect to this amendment, but to all the other amendments.

"And I see silence; I see and hear silence, a derision, an incapacity to respond.

"I want to point out that this is just one day among many and that there will be a conference coming and those of you who are on the floor are

just simply voting no with your silence, in your inability to answer what the chairman has put forward.

"There will be a day of reckoning for you, and when you sit at that conference table coming up in public and try to defend yourself against the record being established here tonight, you will be found wanting. You are going to be creamed. You're going to be eaten alive at that table.

"Do you think that the chairman of the Finance Committee cannot read? Do you think that he will be unable to take these arguments? Any of you who are remaining silent, just voting no in your rote way, do you think you are going to be able to withstand there? I doubt that many of you will be there.

"No one seems to have the capacity ... I think the word integrity was mentioned a little earlier. Let's talk about physical integrity that one has ... apparently so many guts are spilled all over the floor that it's scarcely possible for anybody to get them in hand. And if you think it's bad here tonight, wait till you get into conference and you find yourself totally unable to explain yourselves, with respect to what the chairman is saying.

"I stand here ready, willing, desirous, my friends, of having any of you who would vote against the amendment to stand up and explain yourselves in justification as she has done.

"The Island of Kauai is well served. This state is well served by a chairman who's come into a rotten situation, one that has been explicated for us in studies of recent publication indicating that those of our neighbors and friends, fellow citizens of Hawaiian ancestry have gotten the short end.

"This is something that seems to be, of course, common knowledge.

"I referred before to those things which appear to be common knowledge, but these things are not the kind of knowledge, that is to say, the mere opinion of someone, but rather documented proof that the kind of creativity expressed by the previous speaker's remarks, the kind of interest, the kind of drive, the kind of take-charge attitude that she has expressed in this work, is exactly the kind of thing that the Department of Hawaiian Home Lands has needed for so many years.

"And we're to sit here tonight or stand here tonight and in silence reject these people! Not reject us!

"Most of us here tonight or stand here are not going to be on Hawaiian Home Lands; most of us sitting here are not going to be crying crocodile tears for the Hawaiians. We're just going to be presiding over the demise of the possibility of many of these people to be able to get their homes.

"Here we're dealing with sewage; we're dealing with all the other things. Those are explanations you cannot refute.

"I've been waiting all night for it and I think I have raised the question in a reasonable, straightforward, forthright manner. The answers have been, as I've indicated, elliptical at best, nonexistent at worst.

"Do you think you're going to survive this publicly? Why are we dealing with this tonight?

"I'll tell you why we're dealing with it tonight, and why these noes are flowing down and the faces are set so firm and people are so sure that they won some great triumph tonight. Pyrrhic triumphs! Pyrrhic victories!

"We're here because of the Ways and Means Committee, and it will be discussed, believe me, at great length and in great detail by myself, if not by others, before the evening is over.

"We have two sets of standards, one for themselves and one for the rest of us. And I assure you, Mr. President, there will be another great silence that takes place when I go into this in great detail too because there will be no one who sits on that committee or who looks at me now who'll stand up to refute it because the facts are on my side, justice is on my side, and it doesn't bother me in the least.

"My canoe's in the water and it's out past the half-way point and I'm not coming back; my course is set. And those of you who want to go on another course, be my guest, because the record is here for all to see and read. And all of you who sit back in silence now, wait and see what happens when you come to the conference if you deny this amendment and amendments to follow, if they have merit, because what's going to happen is your're going to find a few people say, 'Oh, you take

care of it; I don't think I care to speak on that; oh, yes, I'll stay in the background,' just like you're doing tonight. Zero! Useless! A caricature of the legislative process.

"That's all right, it's happened before in history, it'll happen again. We all have to answer for it one way or another; presumably some people will propose or purport that they will champion the cause such as is invested in the Hawaiian Home Lands, in law and in policy.

"Those who attempt to take that kind of a course, they will be able to answer in time, I suppose, for what they do this evening or any other evening. They can try. But I know this, that we're not going to find the kind of intensity, the kind of intelligence, the kind of thorough preparation such as I see reflected in these amendments, the kind of work that's been done.

"I like to think I put in my time. I like to think that I'm not gone at 1:00 o'clock in the afternoon; can't be found except out on the golf course, working on that 19th hole all afternoon like some members. That's all right, it's a democracy.

"If you want to come in here and you can fool people long enough to be able to do that kind of thing, I suppose we can get away with democracy, survive that kind of thing.

"Certainly, this body will survive, Mr. President, but the question is, will the people who will benefit from the passage of this amendment and others, which may have merit or had merit this evening and went down, what will their answer be? What will we say to those people in response to the remarks of the chair with respect to the merit of these amendments?

"What are you going to say? Will the answer be, 'Oh, we had one way of doing it and then we changed our minds and we didn't bother to tell anybody so we got the votes and we're gonna do it.' Well, you've got the votes. I tried to get the votes the other way; I'm going to try to keep on getting the votes the other way; keep on voting this way and what's going to happen, Mr. President, beyond the shadow of a doubt, is that this session will become a shambles because of the lack of capacity and determination by those who refuse to defend the propositions that they favor in this public forum.

"It's not for the chair to defend this amendment. On the contrary, she has stated factually, simply, rationally, what it is that she desires and why it is that she desires it to happen. The answer is, I say, has been an echoing silence.

"Therefore, the defense, Mr. President, rests not with the chair, but in those who would deny the logic of her wisdom with respect to asking us to pass these amendments. So, as we move through the evening and on the days to come, for those of you who feel that the way to do things is to have one set of rules for yourselves and another set of rules for other people, I commend you to the tender mercies of the House Finance Committee and its Speaker and members, and then we will see who it is that shall be able to defend himself or herself. Who it is that will be able to come forward with a program upon which the Senate or the House or the Legislature as a whole can stand firmly, proudly.

"We will find out at that point, Mr. President, whether this evening and an item like this amendment that I have before me now was but a manifestation of a much larger problem that we had and continue to have and probably will have after this evening.

"Whether there is a lack of confidence, a lack of trust, whether there has been, as far as I'm concerned, a breach of trust, and it is to that end that I have supported these amendments and to that end that I want to see changes made in the way we're conducting business.

"Mr. President, I have tried with all the powers at my command, verbally and intellectually, to persuade you to join me in passing these amendments. I have not succeeded to this point.

"Mr. President, I would venture to say that it is not necessarily because you remain unpersuaded by either my discussion, the discussion of the chair or perhaps others who have been in favor of it. I would posit for your attention that there is another agenda that is being worked out here this evening, one that I freely admit to that here now or at another time, with respect to my dissatisfaction as to the way these negotiations, these participations, these coordinations, these consultations have taken place to the point where I cannot tolerate it, I cannot stomach it any longer.

"Mr. President, I appeal to you on this amendment and those coming to join with us and I think for good reason.

"Mr. President, you had my vote for president without asking for it. You did not need to ask for it because I admired and respected the leadership that I thought you would provide. You have my vote now but, Mr. President, I cannot accept the manner in which business is being conducted by the Ways and Means Committee and by its supporters as the pattern of these votes are merged and, therefore, among other things, because I think you know me well, in that respect you know that I will take my case to you and the other members and do the best that I can to make you see that the logic that is being expounded by myself and by others, with respect to these amendments and with respect to the philosophy behind them, and with respect to the budget affairs, and to the manner in which legislation is being carried forward in the Legislature, not only has merit, but is compelling, a word that I have used more than once this evening and I state it again because it is the one that most cogently expresses what I feel.

"It is compelling in terms of whether we will succeed as a Senate this year and next year in being able to work effectively. Mr. President, I make that appeal to you now; join with us please on this amendment, and perhaps if you are persuaded to do so you may be persuaded and others may be persuaded as well to carry forward a discussion and resolution of these differences, which are surely manifest here this evening, not just through this amendment but in the amendments to come, the amendments in the past several hours with which we have contended.

"Failure to do so, Mr. President, whether with this amendment or any other, will result in a situation of confrontation in which the loss, I assure you, will not be mine will not be yours, but in all likelihood will be the people of the state. Thank you."

Senator Yamasaki, speaking against the amendment, stated:

"Mr. President, members of this body, here is a beautiful example of the kind of recommendations made by the subject matter committee chairman. The amendment says 'to delete and insert by adding Panaewa

residential lots, unit 3, 1983-1984, zero; 1984-1985' and look at those figures, one billion forty million dollars for Panaewa residential lots, unit 3. If we accept this kind of recommendation, the state will be in terrible shape."

Senator Fernandes Salling responded: "Mr. President, let me clarify something for the chairman of the Ways and Means Committee.

"I'm sorry, it is one million forty thousand dollars, not one billion. If you are questioning this amount, I would like to just say that the ceiling that was set for my committee for 1984-1985 was \$3,125,000. This is \$1,040,000, within the ceiling. The amendments that come further will show you that I have met the ceiling by the deletion of four different projects.

"Thank you, Mr. President."

Senator B. Kobayashi then rose on a point of clarification and stated:

"Mr. President, I believe the chairman of Ways and Means Committee was merely referring to the fact that normally in our budget in the CIP area, we have figures representing thousands of dollars, and hence there may have been an error by subject matter chairman in fully enumerating the one million dollars with the zero's at the front end."

The Chair responded: "I think it was an inadvertent error, and that was not the intent of the chairman of the subject matter committee."

Senator B. Kobayashi then added: "Mr. President, a few words about this project.

"Subject matter chair suggests that a gravity sewer system will not work in Waimanalo and that pumps will be needed. What we have from the department indicates that the other half of the system is working and is a gravity sewer system.

"Further, I would note that the Makapuu interceptor sewer system, which was noted, is scheduled for completion in late 1984 and will be available for connection in and around the time of the proposed completion of the HHL project. Thank you."

Senator Fernandes Salling responded: "Mr. President, the existing, the other half of the system is not in operation. It's been there for ten years.

"As far as what condition those lines are in, I really wonder, because Waimanalo is close to sea level. I don't know if those lines are still good to this day. It's been sitting there; there's been no hook-up. This is why, I guess, they decided that they had to take monies from Hawaiian Home Lands, hook in to this Makapuu interceptor line because they had a system sitting there for ten years that they had built that was never hooked in to anything, and now they're coming back to us and they're asking us for a million dollars to complete this system and there has been no commitment by the federal government in writing or anywhere that this Makapuu interceptor plant will be completed by the date that the vice-chairman of the committee said it would be.

"I have requested, in writing, from the department, from the City and County of Honolulu, from the state Health Department; I've requested in writing when this system ... when these funds, federal funds, will be received to complete this Makapuu interceptor plant, and I haven't received anything to this date.

"All I've been told was that we think the monies are coming; we should be getting it at the end of this year; and all of this was done on a handshake between someone in the Department of Hawaiian Home Lands and the City and County of Honolulu.

"Thank you."

Senator Kawasaki then asked if the vice-chairman of Ways and Means would yield to a question and the Chair posed the request to Senator B. Kobayashi.

Senator B. Kobayashi replied: "Yes, Mr. President, if I can answer it."

Senator Kawasaki then asked: "Mr. Vice-Chairman, have you had the opportunity to perhaps conduct an on-site inspection of this particular facility, in view of the magnitude of the amounts involved in this particular appropriation or had you instructed any staff member who may have been available to perhaps take a look at the project on site?"

Senator B. Kobayashi answered: "Mr. President, I have not personally inspected the system or the site and I have not been involved in directing staff."

Senator Abercrombie in support of the amendment then added:

"Mr. President, speaking in favor of the amendment, again, and I point out to you, the record is being kept, the tapes are running to be printed. This is going to get more embarrassing by the minute.

"The economic lessons that we continue to get from the vice-chairman of the Ways and Means Committee are so manifestly full of holes that I shudder to think what's going to happen when we get into conference.

"The chair of the committee, over and over again, obviously is in full command and in control of the subject matter, again I say, in a manner that I have seldom witnessed certainly on the floor of the Senate or in the House of Representatives.

"I'm only happy that representatives of the media are here to record it as well. I am very unhappy about the spectacle that's going to be made by the kind of ... I can't even call ... I can't honor them with the idea of argument that they will come up with.

"This is the kind of information that we're going to be dealing with. This is the reason why we're having the trouble. Our problem is that we have a situation where competence is not even remotely being expressed by those who would thwart the will of the chairman in her request not only in this particular instance, but in the other instances cited so, and if the record of the chairman in presenting arguments for these amendments continues with the amendments to come and the record of those who would oppose it continues to be such as it is, the debacle will only worsen."

The motion to adopt the amendment was put by the Chair and, Roll Call vote having been requested, failed to carry on the following showing of Ayes and Noes:

Ayes, 10. Noes, 15 (Ajifu, Aki, Chang, Cobb, Hagino, Holt, B. Kobayashi, Kuroda, Machida, Mizuguchi, Solomon, Uwaine, Yamasaki, Young and Wong).

Senator Fernandes Salling then offered the following amendment:

"SECTION 1. House Bill No. 1, H.D. 1, S.D. 1, amended as follows:

1. PART IV, SECTION 121, Item F-5 is amended by deleting the following:

Keaukaha Residence Lots, gravity sewer system.

To prepare detail designs and plants and to construct a gravity sewer system by sewage disposal for existing and future homesteaders of Keaukaha residence lots, Hilo, Island of Hawaii

	<u>FY 1983-84</u>	<u>FY 1984-85</u>
Design		100
Total Funding		100

2. PART IV, SECTION 121, Item F-5 is amended by adding the following:

Kekaha residential lots, Unit 2.

To construct site improvements to develop 27 residential single family lots.

	<u>FY 1983-84</u>	<u>FY 1984-85</u>
	0	800"

Senator Fernandes Salling moved that the amendment be adopted, seconded by Senator Abercrombie.

Senator Fernandes Salling then explained the amendment as follows:

"Mr. President, this amendment is to delete the following project that was recommended by the Department of Hawaiian Home Lands - Keaukaha residence lots, gravity sewer system; to prepare detailed designs and plans and to construct a gravity sewer system by sewage disposal for existing and future homesteaders of Keaukaha residence lots, Hilo, Island of Hawaii; fiscal year '83-'84, design total funding, zero; fiscal year '84-'85, design \$100,000; total funding \$100,000.

"I'm amending it by adding the following substitution for this project with the Kekaha residential lots, unit 2; to construct site improvements to develop 27 residential single family lots; fiscal year 1983-84 construction money, zero; fiscal year 1984-85 construction money, \$800,000.

"With the deletions to come; this is within my ceiling for the capital improvement projects, Mr. President.

"I went to Keaukaha which is on the Big Island in Hilo and I toured the entire area with the commissioner from that area along with the staff member who runs the project office in Hilo.

"I asked if they had had any problems with their cesspools and was

told, 'No.' I asked if they'd had any problems with new homes and cesspools, and again was told, 'No,' by the commissioner who lives in this area. In fact, she was really rather surprised when she found out that monies were being appropriated here for the design of a gravity sewer system for the entire area because they have had no problems with cesspools, none whatsoever.

"I really was at a loss as to why the department recommended \$100,000 design monies to this system in 1984-85.

"I went and checked the records further and found that they were going to come back the next year and ask for a million dollar appropriation for the gravity sewer system line, and yet there was no justification for it.

"I asked the department again to provide me figures to justify why this was needed; to provide me the number of times that they had to pump cesspools in this area. They gave me the standard boiler plate which they've used to justify every gravity sewer system request, basically, that we have had complaints, that we've had to pump and on and on.

"Yet, when I asked the people who lived in that area and the commissioner who is responsible for those people in that area, she assured me that they had never in her history had any problems with their cesspools.

"In light of that, I substituted for this project the construction monies of \$800,000 to build 27 residential single family lots on the Island of Kauai in Kekaha, which would complete the entire package for that portion, for that side of the island. This is the last of the remaining lots that need to be built and there will be no further Hawaiian Home Lands to build on that side of the island. We can then move on to other areas in other islands.

"As I stated earlier, we did find the monies to provide the loans for these homes if this project is funded and approved by this body this evening.

"And, again, I ask for your consideration to substitute this project, the Keaukaha gravity sewer system line, which I have to again point out, although they're requesting only \$100,000 in design monies this year, they will be coming in for a

million dollars next year, and there is absolutely no justification for this project whatsoever. Thank you."

Senator Abercrombie spoke in support of the amendment as follows:

"Mr. President, speaking in favor of this amendment, I would like to make a request of the chairman of Ways and Means Committee as to whether or not the information provided by the chair, in terms of what she indicated, namely, that there will be a request next year for some million dollars with respect to this project, to follow up on the \$100,000, whether that to his knowledge is a true statement? I beg your pardon, '85-'86?"

Senator Yamasaki answered: "Mr. President, the project description requires \$100,000 for '84-'85, then for the future years, \$1 million."

Senator Abercrombie thanked Senator Yamasaki and continued:

"Mr. President, would the chairman answer a question as follows ... the chair of the subject matter committee has indicated that she was unable to find any reason to put forward the \$100,000 in the light of the coming \$1 million expenditure because the reasons stated for having the \$100,000 plus \$1 million was lacking in merit. Would he comment as to how he determined that it was deserving of merit and what we can expect, and does he expect then to spend the million dollars in the budget up coming after this one?"

Senator Yamasaki answered: "Mr. President, according to the information submitted to us, the Hilo sewage treatment plant which is located across the Kalaniana'ole Street from Keaukaha residential lots was constructed in 1965, and the project scope is to prepare detail designs and plans and to construct the gravity sewer system for sewage disposal for existing and future homesteaders of Keaukaha residence lots, Hilo, Island of Hawaii."

Senator Abercrombie responded: "Yes, Mr. President, I beg your pardon, but my question wasn't whether or not the chairman could read what was submitted. I assumed that that's the case."

The Chair then remarked: "Senator Abercrombie, I think that was the justification for why they decided not to agree with the subject matter chair."

Senator Abercrombie continued: "Mr. President, the chair has indicated that she has investigated the situation and found it wanting.

"Could the chairman of Ways and Means Committee indicate other than by submission of what was characterized as the boiler plate language for justification of this project? Has he or any member of his staff checked to see what the veracity of the chairman's contentions were?

"The reason I ask this question, Mr. President, again, is not to be contentious but rather that with respect to many of the projects that we face, that we have to deal with, we do not have personal knowledge of it but when the chair of the committee makes an investigation and comes to a conclusion opposite of that which has been made by the department, one would assume that the chairman of Ways and Means would pay particular attention to that inasmuch as that is an unusual occurrence.

"My question to the chairman of Ways and Means is, what steps did he take to verify or see lack of verification of the chair of the subject matter committee's contentions?"

Senator Yamasaki answered: "Mr. President, as I said earlier in the evening, the subject committee chairman completely turned around all of the projects of the Department of Hawaiian Home Lands 360 degrees and, therefore, I could not conclude that they were correct.

"The Hawaiian Home Lands Department has a planner, has an engineer; they have the capital improvement program for the six years and this is how they planned their program. I cannot see how an individual can change the course of the department 360 degrees. I just cannot understand.

"Thank you."

Senator Abercrombie continued: "I see. Thank you, Mr. President, for relaying that question.

"The question then becomes one in which reliance is made upon a department whose record to this point is not what one would call exemplary. It would seem to me, on the contrary, that for the first time that you have had a chair that actually went out and took a good look at what was going on and came up with a different conclusion.

"Of course, you don't see any difference over a six-year period when nobody's paying any attention. That's the reason that these surveys are coming out and all these are being made and all these reports are coming out that the whole thing is in a shambles.

"Surely, the chairman is not indicating that in the face of this incredible array of material and data which indicates that from stem to stern this department is among the most chaotic, ill-managed creatures on the face of the earth, that to take that into account and thus go into the field and find out what is actually going on and wonder of wonders conclude that we, in fact, those people who are making an objective appraisal are dealing with something that's on the level.

"Surely, under all those circumstances one would tend to think that the chairman is actually doing a good job and is something that ought to be followed up on.

"Instead, the response is that whatever they were doing before, which by definition of all these reports, is either less than nothing or worse than demoralizing for the Hawaiians who have to suffer under it should be continued.

"The whole point of this affair is that the committee is out doing its work and the chair is now being punished for finding out the truth. Wait till you get into the conference!"

The Chair answered: "If you keep talking, we won't get there."

Senator Abercrombie responded: "Well, I may not be able to have the opportunity. I don't know yet. But I'm feeling better and better as I go along. I mean, my heart soars because whatever trepidation that I felt at the beginning of the evening is like the layers of the Maui onion, peeling away from me and I'm down to that sweet core of revealed truth where I can see that the direction that we're moving in is the right direction.

"And I know, in fact, it just seems to me, as I stand here right now, that it is a shame in a certain respect that people are being deprived of my evangelical capacities because, let me tell you, I feel tonight as I listen to the terrific presentation that's been made here tonight that I'm moved to witness. That's what they call a religious conversion, you're going to

bear witness.

"I feel more of the power of truth coming out in me more and more and I feel even if it is twenty after eleven that this power is going to grow and grow in me as the evening progresses, because I'm so happy to find out that we have a chair that is really taking hold, really getting a hold of the subject matter and getting in there. It puts some of us to shame, I must say."

The Chair then interjected: "Senator Abercrombie, your acting has improved too."

Senator Abercrombie continued: "Mr. President, I appreciate that remark to no end that I would like to think it's not so much an improvement but rather a refinement that is taking place and the reason for it is, of course, is that as I listen to the presentation coming forward from the chair that I fear for our capacity to be able to respond if we reject it."

"So, what I'm doing is calling upon you and the other members to not just search your hearts as to whether or not you want to continue this affair this evening in the manner in which it's been conducted, but rather whether or not you will find yourselves in a position of being unable to explain what it is you're doing and why, other than by saying somebody told us whose credibility at the very least is suspect. Thank you."

Senator Kawasaki, in support of the amendment, stated:

"Mr. President, last night for one of those rare treats I accord myself, I went to see, because my wife's been badgering me for many weeks now, to see the picture called 'The Verdict' in which Paul Newman ... (evidently, he's going to win the Academy Award) ... made his last minute plea to the jury, which I think was very eloquent though perhaps not as theatrical, to use that term as that of the good Senator from the Sixth District had demonstrated (I think he outdid Paul Newman)."

"But, Mr. President, the subject matter committee chairman very clearly, very logically on this project, as well as some of the other projects, demonstrated the imperative need for an amendment to that budget portion which deals with these CIP projects."

"This is one of those nights in my 16 years' experience here that I feel

good about being in the Senate of the State of Hawaii. I want to, as I have in the past, commended Senator Abercrombie for a brilliant, impromptu dissertation of the issues on hand. I'm grateful to you as the presiding officer for presiding in a very fair, liberal fashion, allowing this kind of debate, which is good, which is, I think, very enlightening."

"While I'm elated over this situation, I'm very saddened by the rote like fashion in which many freshman Senators who are and going to be committee chairmen are responding."

The Chair interjected: "Senator Kawasaki, the Chair asks that you speak on the amendment."

Senator Kawasaki continued: "My point is, I join Senator Abercrombie in saying the amendments offered by the subject matter committee chairman are perfectly logical."

"I would think that we have in this body fair-minded people who vote on issues based on merit. I anticipate that that will not be so."

"I anticipate that like some of the votes on the other amendments the count is going to be more often than not, 11 to 14 or perhaps 10 to 15."

"I close my advocacy of the amendment with this one sermon, if you will, to the newer chairmen that when a new diligent committee chairman does the kind of homework that she has done on these issues and gets the kind of support that she has gotten in this body, then don't cry in future years if this happens to you!"

"Some day, notwithstanding any diligent effort you may have exerted to be a good chairman, to do your homework, to make a good presentation, you may be voted down, because all this will, in due time, be your experience."

The motion to adopt the amendment was put by the Chair and, Roll Call vote having been requested, failed to carry on the following showing of Ayes and Noes:

Ayes, 10. Noes, 15 (Ajifu, Aki, Chang, Cobb, Hagino, Holt, B. Kobayashi, Kuroda, Machida, Mizuguchi, Solomon, Uwaine, Yamasaki, Young and Wong).

At 11:29 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 o'clock p.m.

At this time, the Chair made the following announcement:

"The Chair would like to announce that, since many members of the public may be interested in reviewing some of the bills which have been decked here today, for the benefit of those interested people, copies of all the bills will be available for public inspection tomorrow at the office of the Senate Sergeant-at-Arms from 9:00 a.m. to 4:00 p.m.

"In addition, the Chair would like to call to the members' attention that probably the time will expire this evening and House Bill 1 will be part of history and, in addition, to House Bill 914, H.D. 1, and House Bill 527, H.D. 1.

"In all probability, we will come back next week and vote again on second reading, House Bill No. 1."

Senator Fernandes Salling then offered the following amendment:

"SECTION 1. House Bill No. 1, H.D. 1, S.D. 1 is amended as follows:

1. PART IV, SECTION 121, Item F-6 is amended by deleting the following:

Nanakuli Residence Lots, Gravity Sewer System to prepare detail designs and plans and to construct a gravity sewer system for sewage disposal for existing and future homesteaders of Nanakuli residence lots, Oahu.

	<u>FY 83-84</u>	<u>FY 84-85</u>
Design	0	100
Total funding	0	100C

2. PART IV, SECTION 121, Item F-6, is amended by adding the following:

KEAUKAHA RESIDENTIAL LOTS, INCREMENT 2 To construct site improvements to develop an additional 22 residential single family lots.

	<u>FY 83-84</u>	<u>FY 84-85</u>
	0	700"

Senator Fernandes Salling moved that the amendment be adopted, seconded by Senator Abercrombie.

Senator Fernandes Salling, in support of the amendment, stated:

"Mr. President, this is to Part IV, Section 121, Item F-6, and is amended by deleting the following: Nanakuli residence lots, gravity sewer system, to prepare detail designs and plans and to construct a gravity sewer system for sewage disposal for existing and future homesteaders of Nanakuli residence lots, Oahu; fiscal year '83-'84, design, zero; total funding zero; fiscal year '84-'85, design, \$100,000, total funding, \$100,000.

"Mr. President, I've amended it by adding the following: Keaukaha residential lots, increment 2, to construct site improvements to develop an additional 22 residential single family lots; fiscal year '83-'84, zero; fiscal year '84-'85, \$700,000 would be the total amount required to construct site improvements for 22 residential lots in Keaukaha on the Big Island.

"The reason for this substitution is again ... the department had no justification to the gravity sewer system. ..."

Senator Cobb, rising on a point of order, stated: "Mr. President, the clock is midnight; we have run out of time."

The Chair responded: "No, not quite, the clock has approximately one minute and ten seconds remaining."

Senator Fernandes Salling continued: "There was no justification for this Nanakuli residence gravity sewer system.

"When I requested someone to go out to review this site with me, they sent John Rowe and said that he was the project manager and could answer all my questions. We got down to Nanakuli and I asked him where this gravity sewer system was going to be installed and he said ... "

The Chair then announced: "Members of the Senate, time has expired."

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until Monday, April 4, 1983.

FORTY-SIXTH DAY

Monday, April 4, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:00 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Ms. Nancy Breeker, a member of the First Church of Christ Scientist, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Forty-Fifth Day.

At this time, the following introductions were made to the members of the Senate:

Senator A. Kobayashi, on behalf of the Senate, introduced visitors from the People's Republic of China, Dean Di Lu and Dean Wang Mu-Tse of the Beijing Teacher's College, accompanied by the Executive Director of the Foundation for Study Abroad, Dr. Sig Ramler.

Senator Holt, on behalf of the Senate, introduced a group of 23 second grade students from the Kamehameha Schools, accompanied by their teacher, Miss Diane Tanner.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 58 and 59) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 58), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN EXEMPTION OF HAWAII FROM THE FEDERAL LAW ASSESSING DAIRY FARMERS MONEYS FROM THE GROSS PROCEEDS FOR EACH 100 POUNDS OF MILK MARKETED COMMERCIALY TO OFFSET THE NATIONWIDE MILK SURPLUS," was offered by Senators Toguchi, Hagino, Machida, Kuroda, Chang, Solomon, Holt, Mizuguchi, George, Ajifu, Uwayne, Cayetano, Abercrombie, Aki, Henderson, A. Kobayashi, Carpenter, Soares, Fernandes Salling and Kawasaki.

By unanimous consent, S.C.R. No. 58 was referred to the Committee on Agriculture.

A concurrent resolution (S.C.R. No. 59), entitled: "SENATE CONCURRENT RESOLUTION RESPECT-

FULLY REQUESTING THE CONGRESS OF THE UNITED STATES OF AMERICA TO DISALLOW ADDITIONAL AID TO EL SALVADOR," was offered by Senators Hagino, Cayetano, Aki, Holt, Mizuguchi, Kawasaki, Abercrombie, Toguchi, Chang, Fernandes Salling, Solomon and Carpenter.

By unanimous consent, S.C.R. No. 59 was referred to the Committee on Federal Relations.

SENATE RESOLUTION

A resolution (S.R. No. 73), entitled: "SENATE RESOLUTION REQUESTING THE EXEMPTION OF HAWAII FROM THE FEDERAL LAW ASSESSING DAIRY FARMERS MONEYS FROM THE GROSS PROCEEDS FOR EACH 100 POUNDS OF MILK MARKETED COMMERCIALY TO OFFSET THE NATIONWIDE MILK SURPLUS," was offered by Senators Toguchi, Hagino, Machida, Kuroda, Holt, Abercrombie, Mizuguchi, George, Ajifu, Soares, Solomon, Chang, Cayetano, Henderson, A. Kobayashi, Uwayne, Carpenter, Fernandes Salling and Kawasaki, and was read by the Clerk.

By unanimous consent, S.R. No. 73 was referred to the Committee on Agriculture.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 851) informing the Senate that Senate Concurrent Resolution Nos. 58 and 59, Senate Resolution No. 73 and Standing Committee Report No. 852 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Aki, for the Committee on Culture and Arts, presented a report (Stand. Com. Rep. No. 852) recommending that the Senate advise and consent to the following:

Thelma Black, Elizabeth Flateau, Candace K. Lee and Edward Naihe, Sr., to the King Kamehameha Celebration Commission, in accordance with Governor's Message No.

100;

Ann B. Simpson, to the Board of Public Broadcasting, in accordance with Governor's Message No. 101;

Yukie Ueoka, to the 1984 Hawaii Statehood Silver Jubilee Committee, in accordance with Governor's Message No. 102;

Edith L.P. Bandmann and Tanya K. Shito, to the King Kamehameha Celebration Commission, in accordance with Governor's Message No. 227; and

Mary P. Steiner, Sharon Aoki, Robert T. Yokoyama and Willard Welsh, to the Board of Public Broadcasting, in accordance with Governor's Message No. 228.

By unanimous consent, action on Stand. Com. Rep. No. 852 and Gov. Msg. Nos. 100, 101, 102, 227 and 228 was deferred until Tuesday, April 5, 1983.

ORDER OF THE DAY

UNFINISHED BUSINESS FROM MARCH 31, 1983

Standing Committee Report No. 824 (H.B. No. 1, H.D. 1, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 824, and H.B. No. 1, H.D. 1, S.D. 1, was deferred to the end of the calendar.

At 11:26 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:27 o'clock a.m.

Standing Committee Report No. 825 (H.B. No. 914, H.D. 1, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 825 and H.B. No. 914, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," were recommitted to the Committee on Consumer Protection and Commerce for further consideration.

Standing Committee Report No. 826 (H.B. No. 527, H.D. 1, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 826 and H.B. No. 527, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," were recommitted to the Committee on Consumer Protection and Commerce

for further consideration.

THIRD READING

House Bill No. 876, H.D. 1:

By unanimous consent, action on H.B. No. 876, H.D. 1, was deferred to the end of the calendar.

House Bill No. 1580, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1580, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 304, S.D. 1:

By unanimous consent, action on H.B. No. 304, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1304, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 1304, H.D. 2, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1602, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1602, H.D. 1, S.D. 1, was deferred to the end of the calendar.

ADVISE AND CONSENT

Standing Committee Report No. 778 (Gov. Msg. Nos. 232, 233, 234, 235, 236, 237, 238, 265, 266 and 267):

Senator Cobb moved that Stand. Com. Rep. No. 778 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Charles G. Clark, as Director of Health, term to expire December 1, 1986, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of the following:

Solomon P. McCurdy, to the Advisory Commission on Drug Abuse and Controlled Substances, term to expire December 31, 1984;

William J. Eggers, III, to the Advisory Commission on Drug Abuse and Controlled Substances, term to expire December 31, 1986; and

Eugene R. Uemura, to the Advisory Commission on Drug Abuse and Controlled Substances, term to expire December 31, 1983,

seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of Patrick R. Cullen, John J. Volanti, Cullen T. Hayashida and MaBel Fujiuchi, to the Statewide Health Coordinating Council, terms to expire December 31, 1986, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of Amy F. Hamane, Craig Y. Shikuma, M.D. and Mildred Mosher to the Hawaii County Subarea Health Planning Council, terms to expire December 31, 1986, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of Marion Leslie Hanlon, M.D., Tony Krieg, Jerry A. Walker, Jr. and Clark H. Nakamoto to the Maui County Subarea Health Planning Council, terms to expire December 31, 1986, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of Glenn M. Lovejoy, Veronica Sanchez and Peter M. Kim, M.D. to the Kauai County Subarea Health Planning Council, terms to expire December 31, 1986, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Martha Imogene Pelletier to the County Hospital Advisory Committee, City and County of Honolulu, term to expire December 31, 1986, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of the following:

Roger B. Brault, M.D., to the Board of Health, term to expire December 31, 1985; and

Ralph M. Beddow, M.D., Patricia Ann Roberti and Rosalina S. Domondon, to the Board of Health, terms to expire December 31, 1986,

seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of Arvid Tadao Youngquist and Nora L. Tejero to the West Honolulu Subarea Health Planning Council, term to expire December 31, 1986, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Merl W. Hawthorne to the Central Oahu Subarea Health Planning Council, term to expire December 31, 1986, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 779 (Gov. Msg. No. 245):

Senator Cobb moved that Stand. Com. Rep. No. 779 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate consent to the nomination of Herman T.F. Lum as Chief Justice of the State Supreme Court, for a ten year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Soares.

Senator Carpenter rose and stated:

"Mr. President, very briefly, in speaking for the nomination, I think that Justice Herman Lum will bring a fresh approach to the administrative problems and concerns of the entire Judiciary. And, I look forward with hopeful anticipation that he will carry out that task with the full understanding that as a jurist, he has certainly proven himself in the past. There are many challenging problems before the Judiciary as a part of the State process and I wish him well in his task. Thank you."

Senator Kawasaki then rose and stated:

"I, too, rise to speak in support of the confirmation of Judge Lum. I have known the gentleman for several decades now, and have known him to be a man of competence and good character and I trust that in his position as Chief Justice, that he would do all he can to urge upon the members of the Supreme Court the importance of appointing to the Bishop Estate trusteeship, people well qualified to serve competently, on that very important board, and I trust that this message will be added into the Senate Journal.

"One of the problems that we have had with the management of Bishop Estate affairs was perhaps, that we've been rather cavalier about the quality of the people serving on the trusteeship, which is now the responsibility of the Supreme Court. I hope that with the appointment of Judge Lum as Chief Justice, he would provide the leadership on that Supreme Court level to make sure the appointments to the Bishop Estate trusteeship are good people."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, the President stated:

"At this time, the Chair would like to announce that all Third Reading bills, which includes the Budget, will be taken up on the 2:00 p.m. session that we are planning to have. Maybe as a kind of plan for the evening, we will be remaining in session after 2:00 p.m. this afternoon for whatever time is necessary. We will take a dinner break, roughly around 5:00 o'clock, and return here to the Senate at around 7:00 and finish off our agenda, even if it takes us up to the next legislative day. I want to remind all Senators, that the Chair expects all of you to be present, at the session both at 2:00 and at 7:00."

THIRD READING

House Bill No. 338, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 338, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 311, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 311, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 239, S.D. 1:

By unanimous consent, action on H.B. No. 239, S.D. 1, was deferred to the end of the calendar.

House Bill No. 245, S.D. 1:

By unanimous consent, action on H.B. No. 245, S.D. 1, was deferred to the end of the calendar.

House Bill No. 753, S.D. 1:

By unanimous consent, action on H.B. No. 753, S.D. 1, was deferred to the end of the calendar.

House Bill No. 269, S.D. 1:

By unanimous consent, action on H.B. No. 269, S.D. 1, was deferred to the end of the calendar.

House Bill No. 813, S.D. 1:

By unanimous consent, action on H.B. No. 813, S.D. 1, was deferred to the end of the calendar.

House Bill No. 321:

By unanimous consent, action on H.B. No. 321 was deferred to the end of the calendar.

House Bill No. 411, S.D. 1:

By unanimous consent, action on H.B. No. 411, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1582, H.D. 1:

By unanimous consent, action on H.B. No. 1582, H.D. 1, was deferred to the end of the calendar.

House Bill No. 1583, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 1583, H.D. 2, S.D. 1, was deferred to the end of the calendar.

House Bill No. 499, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 499, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 621, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 621, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 812, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 812, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 913, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 913, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 258, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 258, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 519, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 519, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1128, S.D. 1:

By unanimous consent, action on H.B. No. 1128, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 711 (H.B. No. 1090, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 711 and H.B. No. 1090, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1340, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1340, H.D. 1, S.D. 1, was

deferred to the end of the calendar.

House Bill No. 844, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 844, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1102, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1102, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1438, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1438, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1221:

By unanimous consent, action on H.B. No. 1221 was deferred to the end of the calendar.

House Bill No. 535, S.D. 1:

By unanimous consent, action on H.B. No. 535, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1050, H.D. 1:

By unanimous consent, action on H.B. No. 1050, H.D. 1, was deferred to the end of the calendar.

House Bill No. 830, H.D. 1:

By unanimous consent, action on H.B. No. 830, H.D. 1, was deferred to the end of the calendar.

House Bill No. 796, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 796, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 576, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 576, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 313, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 313, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 243:

By unanimous consent, action on H.B. No. 243 was deferred to the end of the calendar.

House Bill No. 1531, H.D. 1:

By unanimous consent, action on H.B. No. 1531, H.D. 1, was deferred

to the end of the calendar.

House Bill No. 1528, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 1528, H.D. 2, S.D. 1, was deferred to the end of the calendar.

House Bill No. 389, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 389, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 282, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 282, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1115, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1115, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 713, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 713, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 768, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 768, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1311, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1311, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 42, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 42, H.D. 2, S.D. 1, was deferred to the end of the calendar.

House Bill No. 43, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 43, H.D. 2, S.D. 1, was deferred to the end of the calendar.

House Bill No. 208, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 208, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 209, S.D. 1:

By unanimous consent, action on H.B. No. 209, S.D. 1, was deferred to the end of the calendar.

House Bill No. 210, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 210, H.D. 1, S.D. 1, was

deferred to the end of the calendar.

House Bill No. 211, S.D. 1:

By unanimous consent, action on H.B. No. 211, S.D. 1, was deferred to the end of the calendar.

House Bill No. 319, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 319, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 814, H.D. 1:

By unanimous consent, action on H.B. No. 814, H.D. 1, was deferred to the end of the calendar.

House Bill No. 1232, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1232, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1620, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1620, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 3, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 3, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 743 (H.B. No. 1119, H.D. 2, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 743 and H.B. No. 1119, H.D. 2, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 744 (H.B. No. 1190, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 744 and H.B. No. 1190, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 745 (H.B. No. 45, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 745 and H.B. No. 45, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 746 (H.B. No. 1399, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 746 and H.B. No. 1399, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 747 (H.B. No. 809, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 747 and H.B. No. 809, H.D. 1, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 748 (H.B. No. 114, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 748 and H.B. No. 114, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 749 (H.B. No. 1313, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 749 and H.B. No. 1313, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 750 (H.B. No. 817, H.D. 1, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 750 and H.B. No. 817, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 751 (H.B. No. 1231, H.D. 1, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 751 and H.B. No. 1231, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 752 (H.B. No. 1621, H.D. 1, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 752 and H.B. No. 1621, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 753 (H.B. No. 325, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 753 and H.B. No. 325, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 754 (H.B. No. 1567, H.D. 2, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 754 and H.B. No. 1567, H.D. 2, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 755 (H.B. No. 80, H.D. 1, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 755 and H.B. No. 80, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 765, S.D. 1:

By unanimous consent, action on

H.B. No. 765, S.D. 1, was deferred to the end of the calendar.

House Bill No. 5, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 5, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 225, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 225, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1568, S.D. 1:

By unanimous consent, action on H.B. No. 1568, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1151, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 1151, H.D. 2, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 761 (H.B. No. 1297, H.D. 2, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 761 and H.B. No. 1297, H.D. 2, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1401, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1401, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 763 (H.B. No. 6, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 763 and H.B. No. 6, H.D. 1, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 764 (H.B. No. 992, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 764 and H.B. No. 992, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 765 (H.B. No. 1237, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 765 and H.B. No. 1237, S.D. 1, was deferred to the end of the calendar.

House Bill No. 334, H.D. 1:

By unanimous consent, action on H.B. No. 334, H.D. 1, was deferred to the end of the calendar.

House Bill No. 337, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 337, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 601, H.D. 1:

By unanimous consent, action on H.B. No. 601, H.D. 1, was deferred to the end of the calendar.

House Bill No. 890, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 890, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1317, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1317, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1243, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1243, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 182, S.D. 1:

By unanimous consent, action on H.B. No. 182, S.D. 1, was deferred to the end of the calendar.

House Bill No. 722, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 722, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 752, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 752, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1434, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1434, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1087, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 1087, H.D. 2, S.D. 1, was deferred to the end of the calendar.

House Bill No. 497, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 497, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1028, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1028, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 663, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 663, H.D. 2, S.D. 1, was deferred to the end of the calendar.

House Bill No. 11, H.D. 1:

By unanimous consent, action on H.B. No. 11, H.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 783 (H.B. No. 710, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 783 and H.B. No. 710, H.D. 1, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 784 (H.B. No. 69, H.D. 2, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 784 and H.B. No. 69, H.D. 2, S.D. 1, was deferred to the end of the calendar.

House Bill No. 351, S.D. 1:

By unanimous consent, action on H.B. No. 351, S.D. 1, was deferred to the end of the calendar.

House Bill No. 390, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 390, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1342, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1342, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 453, H.D. 1:

By unanimous consent, action on H.B. No. 453, H.D. 1, was deferred to the end of the calendar.

House Bill No. 1266, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1266, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 322, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 322, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1037, S.D. 1:

By unanimous consent, action on H.B. No. 1037, S.D. 1, was deferred to the end of the calendar.

House Bill No. 783, S.D. 1:

By unanimous consent, action on

H.B. No. 783, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1294, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1294, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 866, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 866, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 494, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 494, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1417, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1417, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1118, S.D. 1:

By unanimous consent, action on H.B. No. 1118, S.D. 1, was deferred to the end of the calendar.

House Bill No. 452, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 452, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 402, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 402, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 15, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 15, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 118, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 118, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1363, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1363, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1557, S.D. 1:

By unanimous consent, action on H.B. No. 1557, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1562, H.D. 1, S.D. 1:

By unanimous consent, action on

H.B. No. 1562, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 805 (H.B. No. 1153, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 805 and H.B. No. 1153, H.D. 1, S.D. 2, was deferred to the end of the calendar.

House Bill No. 901, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 901, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 807 (H.B. No. 34, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 807 and H.B. No. 34, H.D. 1, S.D. 2, was deferred to the end of the calendar.

House Bill No. 10, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 10, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 809 (H.B. No. 1126, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 809 and H.B. No. 1126, H.D. 1, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 810 (H.B. No. 708, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 810 and H.B. No. 708, H.D. 1, S.D. 2, was deferred to the end of the calendar.

House Bill No. 1496, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1496, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 467, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 467, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 800, S.D. 1:

By unanimous consent, action on H.B. No. 800, S.D. 1, was deferred to the end of the calendar.

House Bill No. 253, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 253, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 256, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 256, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 257:

By unanimous consent, action on H.B. No. 257 was deferred to the end of the calendar.

House Bill No. 272, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 272, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 280, S.D. 1:

By unanimous consent, action on H.B. No. 280, S.D. 1, was deferred to the end of the calendar.

House Bill No. 966, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 966, H.D. 2, S.D. 1, was deferred to the end of the calendar.

House Bill No. 287, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 287, H.D. 2, S.D. 1, was deferred to the end of the calendar.

House Bill No. 291, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 291, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1402, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 1402, H.D. 2, S.D. 1, was deferred to the end of the calendar.

House Bill No. 289, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 289, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1088, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1088, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 811, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 811, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 810, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 810, H.D. 2, S.D. 1, was deferred to the end of the calendar.

House Bill No. 915, S.D. 1:

By unanimous consent, action on H.B. No. 915, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1587, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1587, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 659, S.D. 1:

By unanimous consent, action on H.B. No. 659, S.D. 1, was deferred to the end of the calendar.

House Bill No. 286, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 286, H.D. 2, S.D. 1, was deferred to the end of the calendar.

House Bill No. 274, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 274, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 835 (H.B. No. 702, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 835 and H.B. No. 702, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 836 (H.B. No. 387, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 836 and H.B. No. 387, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 837 (H.B. No. 268, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 837 and H.B. No. 268, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 838 (H.B. No. 1018, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 838 and H.B. No. 1018, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 839 (H.B. No. 1505, H.D. 1, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 839 and H.B. No. 1505, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 840 (H.B. No. 393, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 840 and H.B. No. 393, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 841 (H.B. No. 502, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 841 and H.B. No. 502, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 842 (H.B. No. 1121, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 842 and H.B. No. 1121, H.D. 1, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 843 (H.B. No. 314, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 843 and H.B. No. 314, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 844 (H.B. No. 1061, H.D. 1, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 844 and H.B. No. 1061, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 845 (H.B. No. 236, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 845 and H.B. No. 236, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 846 (H.B. No. 81, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 846 and H.B. No. 81, H.D. 1, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 847 (H.B. No. 329, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 847 and H.B. No. 329, H.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 848 (H.B. No. 670, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 848 and H.B. No. 670, H.D. 1, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 849 (H.B. No. 781, H.D. 1, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 849 and H.B. No. 781, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1123, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 1123, H.D. 2, S.D. 1, was deferred to the end of the calendar.

At 11:32 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate stood in recess until 2:00 o'clock p.m.

AFTERNOON SESSION

The Senate reconvened at 2:00 o'clock p.m., with all members present.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 316) transmitting House Concurrent Resolution No. 165, which was adopted by the House of Representatives on March 31, 1983, was read by the Clerk and was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 165, entitled: "HOUSE CONCURRENT RESOLUTION HONORING THE MEMORY OF MITSUYUKI 'MITS' KIDO," was adopted.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 60 and 61) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 60), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INTERIM STUDY COMMITTEE TO UNDERTAKE A REVIEW OF THE HAWAII LAW AND RULES RELATING TO THE PRACTICE OF PSYCHOLOGY AND TO RECOMMEND APPROPRIATE AMENDMENTS," was offered by Senators Cobb, Kuroda, Yamasaki, B. Kobayashi, Cayetano, Uwayne, Machida and Young.

By unanimous consent, S.C.R. No. 60 was referred to the Committee on Consumer Protection and Commerce.

A concurrent resolution (S.C.R. No. 61), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO ARRANGE FOR A STUDY OF THE WORKERS'

COMPENSATION PROGRAM BY THE LEGISLATIVE AUDITOR," was offered by Senators Wong, Cobb and Mizuguchi.

By unanimous consent, S.C.R. No. 61 was referred jointly to the Committee on Consumer Protection and Commerce and the Committee on Human Resources.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 74 to 77) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 74), entitled: "SENATE RESOLUTION RECOGNIZING THE FINANCIAL PLIGHT OF HAWAII'S FARMERS AND REQUESTING LENDING INSTITUTIONS TO IMPLEMENT MEASURES TO DEFER OR REDUCE THE REPAYMENT AMOUNTS OF LOANS MADE TO CERTAIN FARMERS," was offered by Senators Carpenter, Solomon and Henderson.

By unanimous consent, S.R. No. 74 was referred to the Committee on Agriculture.

A resolution (S.R. No. 75), entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INTERIM STUDY COMMITTEE TO UNDERTAKE A REVIEW OF THE HAWAII LAW AND RULES RELATING TO THE PRACTICE OF PSYCHOLOGY AND TO RECOMMEND APPROPRIATE AMENDMENTS," was offered by Senators Cobb, Kuroda, Yamasaki, B. Kobayashi, Cayetano, Uwayne, Machida and Young.

By unanimous consent, S.R. No. 75 was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management.

A resolution (S.R. No. 76), entitled: "SENATE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO DETERMINE HOW PRIVATE MEDICAL INSURANCE MAY BE USED TO PROVIDE LONG-TERM CARE BENEFITS TO HAWAII'S ELDERLY PEOPLE," was offered by Senators Mizuguchi, Machida, George, Ajifu, Cayetano and A. Kobayashi.

By unanimous consent, S.R. No. 76 was referred jointly to the Committee on Consumer Protection and Commerce and the Committee on Human Resources.

A resolution (S.R. No. 77), entitled: "SENATE RESOLUTION RE-

QUESTING THE PRESIDENT OF THE SENATE TO ARRANGE FOR A STUDY OF THE WORKERS' COMPENSATION PROGRAM BY THE LEGISLATIVE AUDITOR," was offered by Senators Wong, Cobb and Mizuguchi.

By unanimous consent, S.R. No. 77 was referred jointly to the Committee on Consumer Protection and Commerce and the Committee on Human Resources, then to the Committee on Legislative Management.

STANDING COMMITTEE REPORTS

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 853) recommending that the Senate advise and consent to the nominations of the following:

Kayo R. Chung, to the Hawaii Paroling Authority, in accordance with Governor's Message No. 141; and

James A. King, to the Commission to Promote Uniform Legislation, in accordance with Governor's Message No. 146.

By unanimous consent, action on Stand. Com. Rep. No. 853 and Gov. Msg. Nos. 141 and 146 was deferred until Tuesday, April 5, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 854) recommending that the Senate advise and consent to the nominations of the following:

Tany S. Hong, as Attorney General, in accordance with Governor's Message No. 246;

Cora Lum, to the Hawaii Crime Commission, in accordance with Governor's Message No. 247;

Lois J. Evora, Blossom Y. Tyau, Teresa M. McGraw and Alice I. Yamanishi, to the Commission on the Status of Women, in accordance with Governor's Message No. 248.

By unanimous consent, action on Stand. Com. Rep. 854 and Gov. Msg. Nos. 246, 247 and 248 was deferred until Tuesday, April 5, 1983.

Senator Carpenter, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 855) recommending that the Senate advise and consent to the nominations of the following:

Boyd Mossman, to the Juvenile Justice Interagency Board, in accordance with Governor's Message No. 142;

Judy T. Makinodan and Ruth Fujimoto, to the Commission on the Status of Women, in accordance with Governor's Message No. 143;

Shota Sakai, to the Board of Registration, Island of Oahu, in accordance with Governor's Message No. 144;

Yuriko N. Tasaka, to the Board of Registration, Kauai and Niihau, in accordance with Governor's Message No. 145;

Gilbert Lee, to the Criminal Injuries Compensation Commission, in accordance with Governor's Message No. 201;

Charles M.L.S. Nakoa, to the Juvenile Justice Interagency Board, in accordance with Governor's Message No. 202; and

Sanford S. Sakumoto, to the Board of Registration, Maui, Molokai, Lanai and Kahoolawe, in accordance with Governor's Message No. 203.

By unanimous consent, action on Stand. Com. Rep. No. 855 and Gov. Msg. Nos. 142, 143, 144, 145, 201, 202 and 203 was deferred until Tuesday, April 5, 1983.

Senator Cayetano, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 856) recommending that House Bill No. 703, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 703, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATE ENERGY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 6, 1983.

ORDER OF THE DAY

MATTER DEFERRED FROM MARCH 31, 1983

Senate Bill No. 133, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 133, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION OF AQUATIC LIFE, WILDLIFE AND

PLANTS," was deferred until Tuesday, April 5, 1983.

At this time, Senator Abercrombie rose and queried:

"Mr. President, just a point of inquiry at this juncture, please. Can you tell me the status of the State Plan. What's your pleasure on it. We were to get them in this afternoon. I had it in last week, and I don't believe that at this time it is in my office. It's difficult to get the signatures and get everything done without it.

The President replied:

"The State Plan?"

Senator Abercrombie then replied:

"The State Functional Plan."

The President then replied:

"As I understand, the only thing that I know of that will be pending before the Senate will be the resolutions. The bill to change the language in the statutory law...."

Senator Abercrombie then interjected:

"Of the resolutions, yes. Excuse me, let me just ask this. Is it still the intent to have them in by 4:30 this afternoon? Those were our original instructions.

The President then responded:

"If you possibly can, I think you ought to try and get it in. But for the moment...."

Senator Abercrombie then replied:

"I had it in last week, and I just wanted to indicate that I would like to go ahead with it. But I just wondered if there was a logistical problem?"

The President then replied:

"No, resolutions can be passed later on in the session."

Senator Abercrombie then continued:

"So, this afternoon's deadline is not fixed?"

The President replied:

"It is not fixed."

Senator Abercrombie then concluded

his remarks stating:

"Thank you, Mr. President."

MATTERS DEFERRED FROM
EARLIER ON THE CALENDAR

SECOND READING

Standing Committee Report No. 824
(H.B. No. 1, H.D. 1, S.D. 1):

By unanimous consent, action on
Stand. Com. Rep. No. 824 and H.B.
No. 1, H.D. 1, S.D. 1, was deferred
to the end of the calendar.

THIRD READING

House Bill No. 876, H.D. 1:

On motion by Senator Cobb, seconded
by Chang and carried, H.B.
No. 876, H.D. 1, entitled: "A BILL
FOR AN ACT RELATING TO INSUR-
ANCE," having been read throughout,
passed Third Reading on the following
showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1580, H.D. 1, S.D. 1:

Senator Cobb moved that H.B. No.
1580, H.D. 1, S.D. 1, having been
read throughout, pass Third Reading,
seconded by Senator Chang.

Senator Abercrombie rose to speak
on the measure stating:

"Mr. President, would the Chairman
yield to a question, please?"

The question was posed and Senator
Cobb, having answered in the affir-
mative, Senator Abercrombie contin-
ued:

"Mr. President, would you ask the
Chairman to comment on the part of
the report which indicates that the
Director of the Department of Com-
merce and Consumer Affairs has
assured your committee that repay-
ment of this loan to the state will not
be jeopardized by the enactment of
this bill. I do in fact take that to be
the case, having read the bill, but
perhaps, for the purposes of the
record, it would be appropriate to
indicate as to how that assurance was
given and exactly, what the assur-
ance is."

Senator Cobb then replied:

"Yes, Mr. President, the terms of
FDIC insurance are that an assess-
ment of one-twelfth of one percent of

the deposits is made for the purpose
of achieving and obtaining FDIC
insurance, whereas the percentage
requirement for the thrift guaranty
fund is one-half of one percent.

"During the committee hearing, we
found that if the double payment were
assessed, and it was prorated,
subtracting the one-twelfth of one
percent from the one-half of one
percent, that the thrift guaranty
fund would continue to receive its
payments from all of the industrial
loan companies, even after they had
converted to the FDIC. This require-
ment was specifically written into the
bill to insure that such payments
would continue after all industrial
loan companies had shifted over to
FDIC insurance.

"The question that I posed to the
Director, and which he assured me of
was that this proviso would in no way
slow down the payments to the thrift
guaranty fund, nor jeopardize the
solvency of that fund by converting
over to the FDIC."

Senator Abercrombie then replied:

"Yes, I understand that was the
assurance, but how, in fact is that to
take place is the question. That is
to say, I understand what the chair-
man is indicating, but did the
Director indicate as to how that was
to take place? The legislation itself
indicates that the Thrift Guaranty
Corporation shall not insure thrift
accounts after June 30, 1984. I
understand that part. But I am not
certain as to the mechanism that she
outlined to the chairman to make sure
that the payments would take place as
indicated."

Senator Cobb then replied:

"Payments will take place, Mr.
President, on an ongoing basis until
such time as all payment obligations
of the thrift guaranty fund are
satisfied, one, to the depositors, and
two, to the state. It will be an
ongoing assessment basis as it is
now, only it will continue to both the
thrift guaranty fund and the FDIC."

Senator Abercrombie then re-
sponded:

"So, am I correct in understanding
that in no way will the present
assessment process be affected by the
legislation with respect to seeing that
all obligations are taken care of?"

Senator Cobb then replied:

"That is correct. I insisted on that as a condition of passage of the bill."

The motion was put by the Chair and H.B. No. 1580, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill 304, S.D.1:

On motion by Senator Cobb, seconded by Senator Chang and carried, H.B. No. 304, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS, ARCHITECTS AND SURVEYORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1304, H.D. 2, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, H.B. No. 1304, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANY GUARANTY ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1602, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, H.B. No. 1602, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 338, H.D. 1, S.D. 1:

On motion by Senator Abercrombie, seconded by Senator Holt and carried, H.B. No. 338, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII COLLEGE OF EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 311, H.D. 1, S.D. 1:

On motion by Senator Aki, seconded by Senator Carpenter and carried, H.B. No. 311, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN AMENDMENT TO SECTION 314-8, HAWAII REVISED STATUTES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 239, S.D. 1:

On motion by Senator Machida, seconded by Senator Young and carried, H.B. No. 239, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABOLISHMENT OF THE PREMARITAL EXAMINATION FOR SY-PHILIS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 2:30 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:31 o'clock p.m.

House Bill 245, S.D. 1:

On motion by Senator Machida, seconded by Senator Young and carried, H.B. No. 245, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill 753, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Machida and carried, H.B. No. 753, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Solomon and Young).

House Bill No. 269, S.D. 1:

On motion by Senator Young, seconded by Senator Holt and carried, H.B. No. 269, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE APPOINTMENT OF MEMBERS TO

THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 813, S.D. 1:

On motion by Senator Young, seconded by Senator Holt and carried, H.B. No. 813, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FACTORY-BUILT HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 321:

On motion by Senator Mizuguchi, seconded by Senator Abercrombie and carried, H.B. No. 321, entitled: "A BILL FOR AN ACT RELATING TO VISITATION AND SUPPORT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 411, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Abercrombie and carried, H.B. No. 411, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1582, H.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Abercrombie and carried, H.B. No. 1582, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION OF CHILD SUPPORT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1583, H.D. 2, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Abercrombie and carried, H.B. No. 1583, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," having been read throughout, passed Third Reading on the

following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 499, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, H.B. No. 499, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Cayetano).

House Bill No. 621, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, H.B. No. 621, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPEECH PATHOLOGISTS AND AUDIOLOGISTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 812, H.D. 1, S.D. 1:

Senator Cobb moved that H.B. No. 812, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chang.

At this time, Senator Abercrombie rose and stated:

"Mr. President, with respect to this, if the Chairman would indicate what the Attorney General..., excuse me, the point that I want to raise is what is the rationale with respect to the present staffing of the Attorney General's office and the legal staff of the Department of Commerce and Consumer Affairs? Is there to be a change then in the Attorney General's office if this takes place?"

Senator Cobb then replied:

"As far as I know, there is not a change to be taking place within the Attorney General's office. This is just clarifying that the legal staff of Commerce and Consumer Affairs does have the authority to prosecute these kinds of complaints."

Senator Abercrombie then stated:

"Would in fact then, the attorneys for the Commerce and Consumer Affairs Department be handling it as opposed to the Attorney General?"

Senator Cobb then replied:

"Most generally, yes, and also get into matters of very substantial litigation."

Senator Abercrombie then replied:

"Okay, thank you."

The motion was put by the Chair and H.B. No. 812, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSECUTION OF CONSUMER COMPLAINTS BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Abercrombie then rose and stated:

"Mr. President, I just wanted to point out that I'm sure that many of these questions could have been resolved had we had a caucus at Third Reading. So, I trust that you understand that some of these questions are for the purpose of the record and might not have otherwise been touched upon other than if the chairman cared to enunciate them in the first place."

The President then replied:

"The Chair is very much aware of the...."

Senator Abercrombie then interjected:

"If you want to take a recess and have a caucus on these bills, I would certainly welcome the opportunity."

The President then replied:

"I'd prefer not to."

Senator Cobb then rose and stated:

"Speaking as a chairman, Mr. President, I don't see any need for a caucus either. Thank you."

Senator Abercrombie then stated:

"Mr. President, is it the point then that with regard to Third Reading bills there need not be a caucus on the bills?"

The President then replied:

"Well, it is not opportune at this late hour, the decision has been made to proceed with the order of business. I think perhaps in the future we can discuss the propriety of a

caucus before the readings of the bills."

Senator Abercrombie then concluded:

"I am so happy to hear the word 'we,' Mr. President. Thank you."

House Bill No. 913, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 913, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 258, H.D. 1, S.D. 1:

On motion by Senator Chang, seconded by Senator Hagino and carried, H.B. No. 258, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 519, H.D. 1, S.D. 1:

On motion by Senator Chang, seconded by Senator Hagino and carried, H.B. No. 519, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING IN CERTAIN WATERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1128, S.D. 1:

On motion by Senator Chang, seconded by Senator Hagino and carried, H.B. No. 1128, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOORING OF COMMERCIAL VESSELS IN SMALL BOAT HARBORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 711 (H.B. No. 1090, S.D. 1):

On motion by Senator Cobb, seconded by Senator Chang and carried, Stand. Com. Rep. No. 711 was adopted and H.B. No. 1090, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POOL BUYING TRANSACTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1340, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, H.B. No. 1340, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 844, H.D. 1, S.D. 1:

On motion by Senator Chang, seconded by Senator Hagino and carried, H.B. No. 844, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STADIUM AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1102, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 1102, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1438, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1438, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1221:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 1221, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 535, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 535, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ADMINISTRATIVE PROCEDURE ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1050, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 1050, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 830, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 830, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY AND FITNESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 796, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 796, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 576, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 576, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GAMBLING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 313, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 313, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLACE OF IMPRISONMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Cobb).

House Bill No. 243:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 243, entitled: "A

BILL FOR AN ACT RELATING TO VITAL STATISTICS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 2:41 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:43 o'clock p.m.

House Bill No. 1531, H.D. 1:

By unanimous consent, action on H.B. No. 1531, H.D. 1, was deferred to the end of the calendar.

House Bill No. 1528, H.D. 2, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, H.B. No. 1528, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 389, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, H.B. No. 389, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECEIPTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 282, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, H.B. No. 282, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REINSTATEMENT OF A SUSPENDED LICENSE OR PERMIT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1115, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1115, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 713, H.D. 1, S.D. 1:

On motion by Senator Cobb,

seconded by Senator Chang and carried, H.B. No. 713, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 2:46 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:47 o'clock p.m.

House Bill No. 768, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, H.B. No. 768, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1311, H.D. 1, S.D. 1:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, H.B. No. 1311, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

House Bill No. 42, H.D. 2, S.D. 1:

On motion by Senator Toguchi, seconded by Senator Solomon and carried, H.B. No. 42, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEED," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 43, H.D. 2, S.D. 1:

On motion by Senator Toguchi, seconded by Senator Solomon and carried, H.B. No. 43, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PRODUCT PROMOTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 208, H.D. 1, S.D. 1:

On motion by Senator Toguchi, seconded by Senator Solomon and carried, H.B. No. 208, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRADES AND STANDARDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 209, S.D. 1:

On motion by Senator Toguchi, seconded by Senator Solomon and carried, H.B. No. 209, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF DEALERS IN FARM PRODUCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Ajifu, George, Henderson and Soares).

House Bill No. 210, H.D. 1, S.D. 1:

On motion by Senator Toguchi, seconded by Senator Solomon and carried, H.B. No. 210, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHICKEN EGGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 211, S.D. 1:

On motion by Senator Toguchi, seconded by Senator Solomon and carried, H.B. No. 211, S.D. 1, entitled: "A BILL FOR AN ACT AMENDING SECTION 142-12, HAWAII REVISED STATUTES, RELATING TO PENALTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 319, H.D. 1, S.D. 1:

On motion by Senator Young, seconded by Senator Holt and carried, H.B. No. 319, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 814, H.D. 1:

On motion by Senator Young, seconded by Senator Holt and carried, H.B. No. 814, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Aye, 24. Noes, 1 (Abercrombie).

House Bill No. 1232, H.D. 1, S.D. 1:

On motion by Senator Young, seconded by Senator Holt and carried, H.B. No. 1232, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

House Bill No. 1620, H.D. 1, S.D. 1:

On motion by Senator Young, seconded by Senator Holt and carried, H.B. No. 1620, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COOPERATIVE HOUSING CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 3, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 3, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 743 (H.B. No. 1119, H.D. 2, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 743 was adopted and H.B. No. 1119, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 744 (H.B. No. 1190, H.D. 2, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 744 be adopted and H.B. No. 1190, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator

B. Kobayashi.

Senator Kawasaki then rose and stated:

"Mr. President, I wonder if the Chairman of the Agriculture Committee would yield to a question?"

The question was posed and Senator Toguchi having answered in the affirmative, Senator Kawasaki continued:

"I'd like to know, in the determination of these emergency farm loans, are there any standards that are established before these people qualify for these loans? Standards possibly by the Feds and by the Department of Agriculture personnel here?"

Senator Toguchi replied:

"Yes, it's in the HRS."

Senator Kawasaki then concluded:

"Thank you very much."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 744 was adopted and H.B. No. 1190, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY FARM LOANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 745 (H.B. No. 45, H.D. 2, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 745 be adopted and H.B. No. 45, H.D. 2, S.D. 2, having been read throughout pass Third Reading seconded by Senator B. Kobayashi.

At this time, Senator Kawasaki rose and stated:

"Mr. President, I am voting against this bill, primarily because in this day and age when we are talking about the shortfall in finances to take care of human services requirements, it seems to me, funding \$2 million for research for an industry that has been in existence for over a century perhaps is not the wisest thing to do. It just seems to me, notwithstanding the problems that the sugar industry has had in the last two years, perhaps it behooves them in the past when they had record profit, for example in 1974 and 1980, when their

sugar profits were unprecedented, that the sugar industry would have set aside a certain amount of monies to provide for these kinds of research. I would also assume that research has been going on continuously for this primary industry in Hawaii and for our funding them another \$2 million at this time, perhaps, is not justified, and for that reason, I speak against passage of this bill."

By unanimous consent, action on Stand. Com. Rep. No. 745 and H.B. No. 45, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 746 (H.B. No. 1399, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 746 was adopted and H.B. No. 1399, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 747 (H.B. No. 809, H.D. 1, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 747 was adopted and H.B. No. 809, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL AND CAREER INFORMATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 748 (H.B. 114, H.D. 2, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 748 be adopted and H.B. No. 114, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

At this time, Senator Kawasaki rose and stated:

"Mr. President, I rise to speak in favor of this bill and the Ways and Means Committee is to be commended in placing a means test to make sure that funds given to unfortunate families with hemophiliacs in their family would qualify for this fund only providing that they pass some

kind of income means test, which was not a provision in the House bill when it came over, and I think the Ways and Means Committee did the right thing in providing for these means tests. I urge the passage of this bill."

The motion was put by the Chair and carried Stand. Com. Rep. No. 748 was adopted and H.B. No. 114, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEMOPHILIA," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 749 (H.B. No. 1313, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 749 and H.B. No. 1313, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 750 (H.B. No. 817, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 750 was adopted and H.B. No. 817, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 751 (H.B. No. 1231, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 751 was adopted and H.B. No. 1231, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 752 (H.B. No. 1621, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 752 was adopted and H.B. No. 1621, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout,

passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 753 (H.B. No. 325, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 753 was adopted and H.B. No. 325, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 754 (H.B. No. 1567, H.D. 2, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 754 and H.B. No. 1567, H.D. 2, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 755 (H.B. No. 80, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 755 was adopted and H.B. No. 80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 765, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, H.B. No. 765, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 5, H.D. 1, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, H.B. No. 5, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Abercrombie, Cayetano and Fernandes Salling).

House Bill No. 225, H.D. 1, S.D. 1:

Senator Yamasaki moved that H.B. No. 225, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

At this time, Senator Kawasaki rose and stated:

"Mr. President, I am speaking against passage of this bill. I think this bill goes a little too far in lifting the interest ceiling paid by the state on their obligation bonds from nine and one-half percent to fourteen percent. It just seems to me that perhaps a more limited ceiling established would have been a little more sensible.

"You know, there used to be a time when the State Administration very gingerly came to the Legislature to ask for the lifting or raising of the ceiling on these interest rates payable by the state to bond holders. At the time as I recall, it came for a nine and one-half percent ceiling when it was eight percent. They were rather timid about it but this one here, this bill, completely raises the ceiling to a point that is completely untenable from nine and one-half percent to fourteen percent...."

Senator Abercrombie then interjected:

"Mr. President, would the speaker yield?"

The question was posed and Senator Kawasaki, having answered in the affirmative, Senator Abercrombie continued:

"Mr. President, I had intended to rise, not quite as fast apparently as Senator Kawasaki to...."

The President then stated:

"To request for end of calendar?"

Senator Abercrombie then replied:

"Yes, to the end of the calendar, please."

By unanimous consent, action on H.B. No. 225, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1568, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, H.B. No. 1568, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO STATE BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1151, H.D. 2, S.D. 1:

Senator Yamasaki moved that H.B. No. 1151, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

At this time, Senator Kawasaki rose and stated:

"Mr. President, I rise to speak against this bill. This bill provides the floating, the allowing of the special purpose revenue bonds, which means simply that the state would not charge taxes on the income derived by bond holders of this category.

"Now, I don't mind too much allowing the Kaiser Hospital, who has come for the first time to ask for this category of bonds to help them, a bill limited to Kaiser for passing, but added to this bill is a provision for the third time to the Queen's Hospital. As you well know, we allowed these kinds of special purpose revenue bonds to be floated which, to me in effect, denies the state of some revenues. And, the Queen's Hospital got this kind of a bond from us for, as I recall, \$60 million once. They came back again for another \$20 million. They are now coming back for a third time for a special purpose revenue bond amounting to another \$20 million for a total of \$100 million.

"I'm just afraid that this sets a precedent for other hospitals to come back when they want to float these types of bonds for a second or third time because we have already established, by the passage of this bill, allowing a third floatation to a hospital, and I am just afraid that this opens the door for future requests of this sort. For that reason, if this bill, in conference committee, could be separated so that Kaiser Hospital, (who comes in for the first time and as I recall that St. Francis is coming in, Wahiawa Hospital is coming in, these people are requesting their first special purpose revenue bonds) will be treated separately from Queen's Hospital's request, I would support it. But in the case of Queen's Hospital being tied to this Kaiser Bill, coming for their third one, perhaps this goes a little too far and this just opens the door. I vote against this bill for that reason."

The motion was put by the Chair and carried and H.B. No. 1151, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS," having been read throughout, passed Third Reading, by not less than two-thirds vote of all the members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Fernandes Salling and Kawasaki).

Standing Committee Report No. 761 (H.B. No. 1297, H.D. 2, S.D. 1):

Senator Yamasaki moved that Stand. Com. Rep. No. 761 be adopted and H.B. No. 1297, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

At this time, Senator Abercrombie rose and stated:

"Mr. President, would the Chairman of the Ways and Means Committee yield to a question?"

The question was posed and Senator Yamasaki, having answered in the affirmative, Senator Abercrombie continued:

"Mr. President, if I understand the bill correctly, the St. Francis Hospital does not presently have the necessary application approval; that is to say, the certificate of need approval from the State Health Planning and Development Agency. Is that correct?"

Senator Yamasaki replied:

"That is correct."

Senator Abercrombie continued:

"Mr. President, so I wonder if the chairman would care to explain the policy. Is it a good precedent for us to pass a measure allowing special purpose bonds as we would do if we pass this, before permission has been received to do it? Would this not have the effect...."

Senator Kuroda then interjected:

"Mr. President, could we take up this bill at the end of the calendar?"

The President then replied:

"Would you let Senator Yamasaki respond?"

Senator Kuroda acquiesced and Senator Yamasaki then replied:

"Mr. President, as the committee report indicates, the authorization to issue special purpose revenue bonds in this bill is contingent upon approval by SHPDA for this project. Upon approval of the issuance of the bonds, considerable savings will be issued to St. Francis Hospital, etcetera."

Senator Abercrombie then replied:

"Yes, thank you, I will defer to Senator Kuroda if he wishes."

Senator Kuroda then replied:

"Yes, I do have interest in this one too, so I would like to request end of calendar on this bill."

By unanimous consent, action on Stand. Com. Rep. No. 761 and H.B. No. 1297, H.D. 2, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1401, H.D. 1, S.D. 1:

Senator Yamasaki moved that H.B. No. 1401, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

At this time, Senator Mizuguchi rose to ask for a ruling of the Chair as to a possible conflict of interest as he sits on the board of Wahiawa General Hospital, and the President then ruled that there was no conflict.

Senator Abercrombie then rose and stated:

"Mr. President, perhaps the chairman of committee could answer this question for me. My assumption is that because the SHPDA approval is not mentioned in this, perhaps Senator Mizuguchi could answer this as well, that approval has been received. Is that a correct assumption?"

Senator Yamasaki replied in the affirmative and Senator Abercrombie concluded his remarks stating:

"Thank you, Mr. President."

The motion was put by the Chair and carried and H.B. No. 1401, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," having been read

throughout, passed Third Reading by not less than two-thirds vote of all the members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Fernandes Salling and Kawasaki).

Standing Committee Report No. 763 (H.B. No. 6, H.D. 1, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 763 was adopted and H.B. No. 6, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 764 (H.B. No. 992, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 764 was adopted and H.B. No. 992, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOG CONTROL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 765 (H.B. No. 1237, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 765 was adopted and H.B. No. 1237, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BICYCLE LICENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 334, H.D. 1:

By unanimous consent, H.B. No. 334, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING," was recommitted to the Committee on Transportation for further consideration."

House Bill No. 337, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 337, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 601, H.D. 1:

By unanimous consent, H.B. No. 601, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE EQUIPMENT," was recommitted to the Committee on Transportation for further consideration.

House Bill No. 890, H.D. 1, S.D. 1:

Senator Uwaine moved that H.B. No. 890, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

At this time, Senator Abercrombie rose and queried:

"Mr. President, would the chairman of the committee yield to a question?"

Senator Uwaine declined and Senator Abercrombie then continued:

"Very well, Mr. President, I shall take it that the chairman will have no rejoinder as well.

"Mr. President, as I understand it, taking a look at this bill, with respect to child passenger restraints, no person shall operate a vehicle on a public highway, transport a child under the age of four, except under certain circumstances. I had intended to ask the chairman something about the kinds of equipment that are available or whether or not there are certain people who would qualify for this equipment, whether this has been decided upon. I don't know whether we're referring to Consumer Union or Consumer Reports or anything of the kind there is a discussion here, in the committee report about the number of accidents that takes place, but no discussion in the committee report as to what we're talking about when we talk about child restraint.

"I am looking for a definition in the bill as to what constitutes a child restraint. I'm trying to understand what a child passenger restraint system approved by the United States Department of Transportation will consist of. Does this mean that the Federal Government, which is now in the process, as I understand it, of removing regulations as fast as it can, decides then to deregulate child passenger restraint systems, that we will then be left without any kind of idea as to what such a restraint system is constituted. It says a seat belt assembly. We have seat belts

now. I have seat belts in my car, for example in the rear seat as well. But would that seat belt assembly suffice?

"There is no mention here in this bill about expenses. Presumably, those people who are able to afford it, can. There is nothing in the committee report about the expenses associated with this. It's not that I oppose, obviously, children being restrained. I have seen many times where children were sitting in the front seat of cars or standing in the front seat of cars, which seems to me to be a foolish thing to do. On the other hand, in past laws of this nature, when we're not quite sure of what it is that being proposed, or at least I am unable to determine what exactly it is that is being proposed because the chairman does not care to answer any questions.

"It seems to me, what the chairman is saying is that if there are any problems with this, it's too bad for the public because those of us who are not on his committee don't have an opportunity to find out anything about it. Also, I would like to know, with respect to (e) on page 3, as with respect to the following language: '...any person violating this Section shall be guilty of violations subject to penalties under Section 291C-161(b).' Now, perhaps the chairman would yield to a question as to what the penalties are under Section 291C-161(b)."

The question was posed and Senator Uwayne having answered in the negative, Senator Abercrombie then continued:

"So, the chairman is suggesting that we pass a bill without knowing for purposes of public debate, what the penalty is? There may be some who are privy to information as to what the penalties are, but, it would seem to me that before you take a vote on something, at the very least, you ought to be informed about what the penalties are, if they are enunciated in the bill.

"Now, I suppose I can take a recess and find this out, if you would grant it, but it seems to me that this is a perfectly reasonable question. Can anybody tell me? Perhaps someone on the committee, if the chairman is mute at the moment, as to what 291C-161(b) does?"

Senator Kawasaki then rose and stated:

"Mr. President, perhaps for the edification of the good Senator, the penalty is from \$0 to \$100 depending on, I suppose, the mood of the judge presiding."

Senator Abercrombie then replied:

"Yes, Mr. President, I just wondered if the chairman would yield to it, inasmuch as it is already contained in the committee report. Inasmuch as he wouldn't answer any questions about the content of the bill, I thought he might like to answer one about the committee report. But, it appears that the chairman's position is that we are to pass the bill with some questions as to what it will mean in terms of regulation or deregulation and what it will mean in terms of how people are to pay or not to pay. Under these circumstances, I think that it is ill-advised to pass this bill at this time."

Senator Cayetano then rose and stated:

"Mr. President, it may be that the chairman is a bit concerned about the good faith of the questions asked, therefore, I would like to ask for a recess so if he won't talk on the record, well, maybe he will talk to us in private about what this bill is all about."

At 3:10 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:16 o'clock p.m.

Senator Abercrombie then rose and stated:

"Mr. President, the reason that I wanted to refer to the committee report, with respect to this bill, and I hope again that people will be paying attention to the bills, regardless of whatever else is going on here, because this has to be a part of our Senate presentation and I would perhaps ask the chairman of the Judiciary Committee to give me a hand here, if he would be so kind, because I do not believe that the committee report accurately reflects what happens upon a first conviction under 291C-161(b). May I ask the Judiciary chairman to enlighten us as to what the penalty in fact is?"

Senator Carpenter replied:

"Mr. President, I have the statute before me. It is a cumulative type of

penalty. Section 291C-161 reads in part (a), 'It is a misdemeanor for any person to violate any provisions of this chapter unless the violation is by other law of this State declared to be a felony.'

"Part (b), 'Every person who violates any provision of this chapter for which another penalty is not provided, shall for a first conviction thereof be fined not more than \$100 or be imprisoned for not more than ten days; for conviction of a second offense committed within one year after the date of the first offense, the person shall be fined not more than \$200 or imprisoned not more than twenty days, or by both fine and imprisonment; for conviction of a third or subsequent offense committed within one year after the date of the first offense, the person shall be fined not more than \$500 or imprisoned not more than six months, or by both fine and imprisonment.'"

Senator Abercrombie then continued:

"So, Mr. President, my point here, before a vote is taken, is it really the intent of this body to say that if someone is found in violation of this statute, should it pass, and is subject as is indicated here, not or, but and subject to the penalties of this section just enumerated for a first offense, that we really intend to say that people should go to jail for ten days? Because that's in effect what it says! We don't even put drunk drivers in jail for ten days for a first offense!

"It seems to me, here, that this is a bit excessive, and I'm not sure that, at least in my discussion that I had that the full implications of this 291C-161(b) are known to everyone. That's what were voting for. It's to put people in jail for ten days. I think it's a rather drastic step. We even let drunk drivers go to school! I mean, maybe we could have a period of time where people could get the restraints or something of that nature, or some other system set up that they could do it if we wanted to pass this kind of thing.

"All I'm saying here is that to pass this bill in this condition, it seems to me is to overreact, especially in terms of those who will be deemed in violation of the act at some point, especially, if it's not clear exactly as to what a child restraint system in fact will be."

Senator Kawasaki then rose and stated:

"Mr. President, I believe the questions raised by Senator Abercrombie are valid and perhaps this is one of those bill, where, in conference committee a change could be made in the penalty provisions and I would like to suggest to the chairman of the Transportation Committee to very seriously consider altering the bill in conference committee."

The motion was put by the Chair and carried and H.B. No. 890, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PASSENGER RESTRAINTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Abercrombie, Carpenter, Cayetano, Chang, Fernandes Salling, Holt, Solomon and Young).

House Bill 1317, H.D. 1, S.D. 1:

On motion by Senator Uwaine, seconded by Senator Yamasaki and carried, H.B. No. 1317, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE SIZE AND WEIGHT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1243, H.D. 1, S.D. 1:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, H.B. No. 1243, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 182, S.D. 1:

On motion by Senator Abercrombie, seconded by Senator Mizuguchi and carried, H.B. No. 182, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL PRIORITY FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 722, H.D. 1, S.D. 1:

On motion by Senator Abercrombie, seconded by Senator Mizuguchi and carried, H.B. No. 722, H.D. 1, S.D.

1, entitled: "A BILL FOR AN ACT RELATING TO DUTIES OF SUPER-INTENDENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 752, H.D. 1, S.D. 1:

On motion by Senator Abercrombie, seconded by Senator Mizuguchi and carried, H.B. No. 752, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTITUTION FOR VANDALISM OF PUBLIC SCHOOLS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1434, H.D. 1, S.D. 1:

On motion by Senator Abercrombie, seconded by Senator Mizuguchi and carried, H.B. No. 1434, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1087, H.D. 2, S.D. 1:

On motion by Senator Machida, seconded by Senator Young and carried, H.B. No. 1087, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 497, H.D. 1, S.D. 1:

On motion by Senator Machida, seconded by Senator Young and carried, H.B. No. 497, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1028, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 1028, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUTHORITY OF THE GOVERNOR DURING DISASTER,"

having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 663, H.D. 2, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 663, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VICTIMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 11, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 11, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 783 (H.B. No. 710, H.D. 1, S.D. 2):

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 783 was adopted and H.B. No. 710, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 784 (H.B. No. 69, H.D. 2, S.D. 1):

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 784 was adopted and H.B. No. 69, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DETERMINATION OF DEATH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 351, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 351, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED NOLO

CONTENDERE PLEAS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 390, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 390, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUIETING TITLE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1342, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 1342, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY AND FITNESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 453, H.D. 1:

By unanimous consent, action on H.B. No. 453, H.D. 1, was deferred to the end of the calendar.

House Bill No. 1266, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 1266, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, AND SEPARATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 322, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 322, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PATERNITY STATUTE OF LIMITATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1037, S.D. 1:

On motion by Senator Carpenter,

seconded by Senator Cayetano and carried, H.B. No. 1037, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, SEPARATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 783, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 783, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1294, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 1294, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPOUSE ABUSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 866, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 866, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNAUTHORIZED REMOVAL OF SHOPPING DEVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 494, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 494, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1417, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 1417, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CHILD

PROTECTIVE ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1118, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 1118, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 452, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 452, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFINITIONS OF STATES OF MIND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 402, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 402, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 15, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 15, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTITUTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 118, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 118, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE

SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1363, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 1363, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1557, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 1557, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESPONSIBILITY AND FITNESS OF DEFENDANT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1562, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 1562, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EFFECT OF FINDING OF UNFITNESS TO PROCEED," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 805 (H.B. No. 1153, H.D. 1, S.D. 2):

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 805 was adopted and H.B. No. 1153, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 901, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 901, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 807 (H.B. No. 34, H.D. 1, S.D. 2):

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 807 was adopted and H.B. No. 34, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 10, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 10, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 809 (H.B. No. 1126, H.D. 1, S.D. 2):

By unanimous consent, Standing Committee Report No. 809 and H.B. No. 1126, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," were recommitted to the Committee on Judiciary for further consideration.

Standing Committee Report No. 810 (H.B. No. 708, H.D. 1, S.D. 2):

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 810 was adopted and H.B. No. 708, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1496, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 1496, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTAKE SERVICE CENTERS," having been read throughout, passed Third

Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 467, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 467, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 800, S.D. 1:

By unanimous consent, action on H.B. No. 800, S.D. 1, was deferred to the end of the calendar.

House Bill No. 253, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 253, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 256, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 256, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 257:

By unanimous consent, action on H.B. No. 257 was deferred to the end of the calendar.

House Bill No. 272, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 272, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 280, S.D. 1:

By unanimous consent, action on H.B. No. 280, S.D. 1, was deferred to the end of the calendar.

House Bill No. 966, H.D. 2, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, H.B. No. 966, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 287, H.D. 2, S.D. 1:

On motion by Senator Cobb,

seconded by Senator Chang and carried, H.B. No. 287, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOXING COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 291, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, H.B. No. 291, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1402, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 1402, H.D. 2, S.D. 1, was deferred to the end of the calendar.

House Bill No. 289, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, H.B. No. 289, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHIROPRACTIC," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1088, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, H.B. No. 1088, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE DEALERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 811, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, H.B. No. 811, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE UNFAIR PRACTICES AND FRAUDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 810, H.D. 2, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, H.B. No. 810, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF BEAUTY CULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 915, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, H.B. No. 915, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1587, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, H.B. No. 1587, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 659, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, H.B. No. 659, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 286, H.D. 2, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, H.B. No. 286, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF BARBERING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 274, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, H.B. No. 274, H.D. 1, S.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 835 (H.B. No. 702, H.D. 2, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 835 be adopted and H.B. No. 702, H.D. 2, S.D. 2, pass Third Reading, seconded by Senator B. Kobayashi.

At this time, Senator Kawasaki rose and stated:

"Mr. President, I vote against this bill. Consistent with my questioning the legality, perhaps the constitutionality, of even the creation, of the Office of Hawaiian Affairs. I am even more strongly opposed to the using of general funds for the subsidizing of the programs of the Office of Hawaiian Affairs. It just seems to me that someday, there's going to be some smart lawyer taking the whole issue to the U.S. Supreme Court, and I certainly feel that perhaps the constitutionality of appropriating from the General Funds of the State of Hawaii, appropriations to be used for the Office of Hawaiian Affairs, will just be struck down by the U.S. Supreme Court. I am not a lawyer but it just seems to me to be a very common sense evaluation of the issue, in view of the language of the Federal Constitution, and I wish to vote against this bill."

The motion was put by the Chair and carried and Stand. Com. Rep. No. 835 was adopted and H.B. No. 702, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Ajifu, George and Kawasaki).

Standing Committee Report No. 836 (H.B. 387, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 836 was adopted and H.B. No. 387, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read

throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Abercrombie, Ajifu, George, Henderson, A. Kobayashi and Soares).

Standing Committee Report No. 837 (H.B. No. 268, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 837 and H.B. No. 268, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 838 (H.B. No. 1018, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 838 was adopted and H.B. No. 1018, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL BANKING FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 839 (H.B. No. 1505, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 839 was adopted and H.B. No. 1505, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," having been read throughout, passed Third Reading by not less than two-thirds vote of all the members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Kawasaki and Solomon).

Standing Committee Report No. 840 (H.B. No. 393, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 840 was adopted and H.B. No. 393, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 841

(H.B. No. 502, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 841 was adopted and H.B. No. 502, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 842 (H.B. No. 1121, H.D. 1, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 842 was adopted and H.B. No. 1121, H.D. 1, S.D. 2, entitled, "A BILL FOR AN ACT RELATING TO HOSPITAL ADMINISTRATION IN THE COUNTY/STATE HOSPITAL SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 843 (H.B. No. 314, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 843 be adopted and H.B. No. 314, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

At this time, Senator Kawasaki rose and stated:

"Mr. President I wish to vote against this bill, primarily because in view of the recent decision by the Ninth Circuit Court of Appeals, in the Bishop Estate vs. the State of Hawaii court trial, where the three-man court had declared unconstitutional, our passage years ago, of the well-known 'Maryland Land Bill,' requiring owners of large tracts of land to sell their leasehold properties in fee, perhaps, this issue, even if it is appealed to the U.S. Supreme Court, just might be ruled in favor of the Bishop Estate, and we're floating \$75 million of bonds to provide funds for the conversion of these leasehold properties to fee-purchase.

"All of this might be an exercise in futility and until that issue is resolved, God only knows when, possibly another year or two years, perhaps we should not be floating, we should not be passing this kind of bills allowing the Hawaii Housing department to float \$75 million worth

of bonds, and until the issue is resolved in the courts, I believe this is premature."

Senator Cobb then rose and stated:

"Speaking in favor of the bill Mr. President, I would note that a number of the conversions that take place under the auspices of the Hawaii Housing Authority are voluntary in nature and are usually, and although not in all cases worked out with the lessor and this will provide, at least a funding mechanism. In many cases the negotiations themselves are quite protracted in order to insure that the lessor gets a fair market price and at the same time the price is affordable to lessees. I wouldn't want to see that kind of option cut off. Thank you."

Senator Kawasaki then replied:

"Mr. President, in responding to the previous speaker, perhaps then, we should, in conference committee set the limit on these bonds not to \$75 million but something more realistically, downward."

The motion was put by the Chair and carried and Stand. Com. Rep. No. 843 was adopted and H.B. No. 314, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Cayetano, Fernandes Salling and Kawasaki).

Standing Committee Report No. 844 (H.B. No. 1061, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 844 was adopted and H.B. No. 1061, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Fernandes Salling and Cayetano).

Standing Committee Report No. 845 (H.B. No. 236, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 845 be adopted and H.B. No. 236, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

At this time, Senator Kawasaki rose

and stated:

"Mr. President, I rise to speak against this bill, primarily because until the very chaotic condition of the Hawaiian Homes Department as well as the whole program is resolved, (and I notice in the committee report that in the budget document that a study and the implementation of a very well thought out plan for the programs, their loan programs, and audit is recommended,) and until all this is cleared in that very chaotic department I think perhaps that increasing the loan fund from five to ten million is premature. I would like to hold this in abeyance until some semblance of order is brought about in the affairs of the Hawaiian Homes Commission. For that reason, I wish to speak against this bill and I wish to vote against it."

Senator Abercrombie then rose and stated:

"I merely wish to know, Mr. President, on looking through the bill, I didn't discover it, but it's fairly lengthy and I may have missed it and if the chairman would yield to a question, there is deleted the provision, if I understand correctly, that the home general fund be used solely for the construction of homes, does that mean that it's to be used for anything else, that is to say, ancillary to the construction of homes. I'd like to know what that deletion is and has there been a substitution. I didn't discover it in going through the bill."

Senator Yamasaki then rose and stated:

"The bill simply reverted to the House draft which provided for the funding mechanisms."

Senator Abercrombie then continued:

"But, Mr. President, perhaps I didn't make my question clear enough. The report indicates that there is a deletion of the requirement that the Hawaiian Homes General Loan Fund be used solely for the construction of homes. Now, I would like to know what are the implications of that deletion."

Senator Yamasaki then stated:

"There are funds for other purposes."

Senator Abercrombie then queried:

"Might I know what purposes which will not undermine the integrity of the Home Loan program."

Senator Yamasaki then replied:

"Such as the Hawaiian Home General Loan Fund, the Hawaiian Home Replacement Loan Fund, the Hawaiian Home Repair Loan Fund, Hawaiian Home Farm Loan Fund."

Senator Abercrombie then replied:

"Thank you. If...."

Senator Fernandes Salling then rose and stated:

"Mr. President, would Senator Abercrombie yield?"

Senator Abercrombie answered in the affirmative, Senator Fernandes Salling continued:

"Mr. President, the bill, as was recommended out of my committee, inserted that language that this fund be limited to be used for home construction. The chairman of the Ways and Means Committee did not explain, but if we do not limit it as is stated in this bill and was deleted by the Ways and Means Committee, the department will be allowed to use those funds for other purposes such as to pay for personnel who may be connected to capital improvement projects and to transfer monies into development type projects.

"Section 214 of the act sets out all of the different ways that the department can use the funds unless we were to limit it to home construction. And that was the intent of the Hawaiian Programs Committee when it passed this bill out to the Ways and Means Committee, and the Ways and Means Committee saw fit to delete it. I signed this bill 'with reservations,' because I believe that the original amendment to increase the five million to ten million is necessary despite the fact that Ways and Means saw fit to delete all of the other necessary amendments to this bill."

Senator Abercrombie then stated:

"Mr. President, I appreciate that explanation and as a result, it reinforces my view that I would rise to speak against the bill, despite the chairman's recommendation with respect to the necessity of raising it from five to ten million dollars. If there's no assurance that the raising

of five to ten million dollars will do other than allow for a greater dissipation of funds, back to and including the original five million dollars, then the purpose of the bill is subverted.

"Now, I don't particularly know the political ins and outs of what's going on with respect to the previous speaker's committee but, from what I can determine, in the past couple of days, I mean, it's like 'get the Hawaiians.' Especially with respect to the construction of homes, I don't understand it. There are some kinds of political factors coming to bear here, that are resulting in what appears to be wholesale undermining of the capacity for a rational and reasonable approach to home construction for the Hawaiians and on this particular case, the reason I ask the question about the funds being deleted solely for these purposes is not to see them diluted. If we want to increase funds in these other loan areas that were enunciated by the chairman of Ways and Means, then we should put funds in for that. If that's what we wish to accomplish.

"But the idea is to simply say we're going to increase the loan fund and make certain amendments with respect to the interest involved, where it can be deposited and so on, and essentially miss the point that this is supposed to be for the construction of homes as distinct from all these other things that we can spend money in. I think, legislatively, we're not only taking a step backwards, but we're certainly separating Hawaiian Homes from all the other departments that we deal with.

"When we have specific items that we wish to have funded, we fund them accordingly. To simply open it up and say that were deleting what was the original intent, it seems to me to undermine the whole reason for having the bill in the first place. So, in this particular instance, the only thing that I can conclude is that the bill, as it now appears before us, is not interested in the construction of homes. If the construction of homes takes place, it will be by default, or it will be a side issue, or it can be seen in that way. There will certainly be no legislative mandate in raising the five million to the ten million to see to it that the construction of homes is the end result. Why raise it from five to ten million if the idea is merely to provide a catch-all fund for all these other funds? Let's make that the case.

"If you look at the original bill, you will see that it stipulates that the Hawaiian Homes General Loan Fund to be used for the construction, five to ten million dollars to be used only for the construction of homes, and to provide any amount of Hawaiian Homes Administration account, which is in the excess of the amount approved by the Legislature shall be transferred to Hawaiian Homes General Loan Fund. That was the idea. Now, if we don't want to go with that idea, why not just kill the bill? It seems to me that this is a back-door way of raising from five to ten million dollars, then the Hawaiian Homes is allowed to use it any way they please.

"It seems to me to be distinctly out of character with a sound legislative approach, regardless of the elements involved politically, to raise a fund from five to ten million dollars in the exact opposite purpose for which the original bill was introduced. The correct thing to do is to kill the bill. And, if you wish to change the loan fund around, do that in a bill which specifically addresses it. So, in this instance, I fail to see how passage of this bill, will in any way enhance the intended purpose of the bill which was to raise from five to ten million dollars, the amount of funds that will be available for the construction of homes. I can only conclude that if we pass this bill, we are not very much interested in the construction of homes, but rather in giving the Hawaiian Home Lands another five million dollars to play around with.

"As I indicated the other night, certainly there is sufficient expression in various and sundry reports that are before us now, that to do so, is to fly in the face of every single recommendation that has come down from virtually every source, federal and local. We are rewarding the Hawaiian Home Lands for maladministration. That will be the lesson out of this. And, I don't think that that is what we either do or should we signal our intention to do. Passage of this bill, will in fact, give grounds to administration in the Hawaiian Home Lands, as well as in other areas, that it really doesn't matter how lousy a record you compile, the worse it gets, the more we will try to cover it up by giving you more. It's a great way to go before our own taxpayers, to go before the people who are the supposed beneficiaries of this act.

"I think that this is an irresponsible way to go about it and I think

that we will rue the day. We will not solve anything by passing this, at this stage. On the contrary, we will sow the seeds for future problems that all of us will have to answer for, when it comes to why did we do what we did. What were the justifications for this, when there was clear indication, from various sources, publicly announced already and articulated that to increase the funding in this particular area, absent from the original intent of the bill, was an invitation to continued misuse and abuse of the funding."

Senator Fernandes Salling rose and stated:

"Mr. President, in light of what Senator Abercrombie has stated, could we have this placed at the end of the calendar?"

By unanimous consent, action on Stand. Com. Rep. No. 845 and H.B. No. 236, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 846 (H.B. No. 81, H.D. 1, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 846 was adopted and H.B. No. 81, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 847 (H.B. No. 329, H.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 847 was adopted and H.B. No. 329, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX INCENTIVES FOR SOLAR ENERGY DEVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 848 (H.B. No. 670, H.D. 1, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 848 was adopted and H.B. No. 670, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," having been read

throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 849 (H.B. No. 781, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 849 was adopted and H.B. No. 781, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Aye, 25. Noes, none.

House Bill No. 1123, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 1123, H.D. 2, S.D. 1, was deferred to the end of the calendar.

At 3:53 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:30 o'clock p.m.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Standing Committee Report No. 824 (H.B. No. 1, H.D. 1, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 824 and H.B. No. 1, H.D. 1, S.D. 1, was deferred to the end of the evening session calendar.

House Bill No. 913, H.D. 1, S.D. 1:

Senator Cobb moved that H.B. No. 913, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chang.

At this time, Senator Cayetano rose and stated:

"Mr. President, I wonder if the chairman would yield to a question?"

Senator Cobb, having answered in the affirmative, Senator Cayetano continued:

"Mr. President, I signed 'I do not concur,' on this bill because I was bothered by the statement in the second paragraph where it says, '...currently, industrial loan companies are prohibited from selling loans at interest rates higher than

the general usury laws to any person, unless that person can make the same loan.' Then it goes on to say, '...the purpose of this prohibition was to prevent a person or company from circumventing the law by using an industrial loan company as a conduit for obtaining higher rate loans.' Would you explain to me why that prohibition should not apply to a transaction with a company from out of state? As I understand the bill, is that correct?"

Senator Cobb then replied:

"Partially correct. Mr. President, the original purpose of that law, enacted back in the 1920's was when many states had usury ceilings of ten to twelve percent and home mortgages were going from anywhere from three to six percent. Then we found, as the national money market and usury rates went up dramatically, in the last few years, that the net effect of the law then became quite different, and that was to cut off the purchase money mortgages or the out of state purchase of mortgages in Hawaii by out of state lenders, and as long as that prohibition remained, then even though Hawaii and a number of states had no interest ceiling, the net effect would be to close off an institution or financial institution doing business in a state that had a lower statutory ceiling on an interest rate from making a purchase money mortgage or purchasing the money. Thus, denying Hawaii the influx of capital, denying us the ability to sell loans nationally."

Senator Cayetano then replied:

"Mr. Chairman, would you ask the chairman another question. Why then is the prohibition not lifted intrastate? It is my reading that applies only to interstate transactions."

Senator Cobb then replied:

"There is no problem, intrastate, Mr. President, because we have, or at least we are now under a lifting of the usury ceiling until at least June 30, 1985, therefore that's not a problem that needs to be considered or addressed. Instead, it was the problem of interstate purchase of loans."

Senator Cayetano then queried:

"What would be the situation for example, where an industrial loan company is considering filing for bankruptcy, for example, then enters into arrangement with another indus-

trial loan company here and sells a loan at a favorable interest rate to that company? Shouldn't this prohibition be applied then to that kind of transaction?"

Senator Cobb then replied:

"If a company were considering bankruptcy, and it came under the bank examiner's review and had an unfavorable debt to equity ratio, the bank examiner would intervene and insist that they not be allowed to sell such a loan until such time that their debt to equity ratio returned to a more favorable circumstance. That's the situation that it undergoes periodic and annual examination by the bank examiner."

Senator Cayetano then stated:

"Okay, then let's take the example out of bankruptcy. What about a situation where there is an agreement between industrial loan companies and one decides to sell to the other at a favorable rate for example. Wasn't this kind of prohibition designed to prohibit those kinds of transactions?"

Senator Cobb then replied:

"Mr. President, I think it would be a very foolish business decision if one industrial loan company sold a mortgage to another industrial loan company at below prevailing rates or to achieve a minus cash flow in terms of the interest rate. That nevertheless would be an individual business decision, however, it would very quickly be discovered by the bank examiner, if there were any paper that exchanged hands on that basis."

Senator Cayetano then continued:

"Well I'm not certain if the mortgage situation is the one that I have in mind. I'm thinking about a situation where this may be done to defraud the stockholders of the industrial loan company; in other words, there is a sweetheart arrangement between people in both companies. Would you address that point please."

Senator Cobb then replied:

"Mr. President, the bill specifically states, '...secured by an interest in real property,' on page two, line seven."

Senator Cayetano then replied:

"Okay then, is that the only kind of situation that this would be allowed?"

Senator Cobb then replied:

"With the prohibition in the bill, yes, Mr. President."

Senator Cayetano then concluded:

"Fine, thank you."

The motion was put by the Chair and carried and H.B. No. 913, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1438, H.D. 1, S.D. 1:

Senator Carpenter moved that H.B. No. 1438, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

At this time, Senator Cobb rose and stated:

"Mr. President, would the chairman of the Judiciary Committee yield to a question?"

Senator Carpenter, having answered in the affirmative, Senator Cobb continued:

"Mr. President, would this bill, permit a party upon marriage, to change the name of a minor child without consent of the other person?"

Senator Carpenter replied:

"The answer, Mr. President, is no. That particular section which was under discussion in committee has been removed."

Senator Cobb then concluded stating:

"Thank you, Mr. President."

The motion was put by the Chair and carried and H.B. No. 1438, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1531, H.D. 1:

By unanimous consent, action on H.B. No. 1531, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

WORKERS' COMPENSATION INSURANCE," was deferred until Friday, April 8, 1983.

Senator Carpenter then rose and stated:

"Mr. President, speaking of deferral, I was going to address that same possibility.

"Mr. President, if I may, this bill is a House bill with a House draft on it and it can go out clean. Also before us today, we have a Senate concurrent resolution and Senate Resolution 77, referring to a study which presumably will go concurrently with the proposed moratorium in the bill.

"I'd like to suggest to the Chair, and to this body that this deferral be continued until such time as the appropriate committee or committees have had an opportunity to assure that a resolution addressing this subject has indeed passed from the Legislature, prior to taking an action on this bill."

The President then replied:

"The Chair will take your suggestion on advisement. The bill is deferred until Friday, April 8, 1983."

At 4:43 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:45 o'clock p.m.

Senator Cobb then rose and stated:

"Mr. President, the Judiciary chairman, in expressing his concern on the bill is precisely the concern I have that we see that a thorough ongoing review on the subject of workers' compensation be accomplished, that this bill should be considered on its merits separately, but it would very little good to have a moratorium unless we insure that such a review does take place. That's why, on Friday, your Committee on Consumer Protection and Commerce will be having a hearing and decision-making on a variety of resolutions relating to workers' compensation."

The President then stated:

"Said matter under discussion, House Bill No. 1531, H.D. 1, is deferred until Friday, April 8, 1983."

House Bill No. 1115, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, H.B. No. 1115, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 3, H.D. 1, S.D. 1:

Senator Yamasaki moved that H.B. No. 3, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

At this time, Senator Kawasaki rose and stated:

"Mr. President, I signed the committee report on this bill with reservations primarily because, we had discussions in the Ways and Means Committee as to the necessity for a \$300,000 appropriation for this study. While I support the study, perhaps, setting aside that amount of money may not be the wisest thing to do. It just seems to me, the study should not cost this much, particularly, if the Tax Review Commission were to utilize the services of people who are, perhaps, knowledgeable in this field, and that is to say, not necessarily high-priced CPA firms in this town, possibly, recommendations from the Council of State Governments, that body that we are familiar with. Perhaps we wouldn't need \$300,000. I recall the House Bill came with a \$300,000 figure.

"It's my opinion, that we could do with much less than that, particularly at this time when we are talking about not having enough funds to fund a lot of other more deserving endeavors. So, with this reservation in mind, I will vote for this bill, but hopefully we can have some message transmitted to whoever is going to be appointed to the commission to study our tax system here that we don't give you a carte blanche to go ahead and spend most of this \$300,000."

Senator Soares then rose and stated:

"Mr. President, I wasn't going to speak, but I should rise to speak against this bill and indicate that the reasons just expressed by the previous speaker give me reason to vote 'no' on this bill. There is no reason why we can't do it in-house with all the expertise we have available. To spend \$300,000 for another study is

far more than I can understand."

Senator Cayetano then rose and stated:

"Mr. President, I rise to speak against the bill. I realize that this commission is mandated in the Constitution. But, if I recall correctly, the enabling legislation which was passed, I believe in '79 or '80, described certain kinds of skills and professions as requirements for the members of this commission. And, it was hoped at that time, that the members would take a more active role in terms of doing the work that the Tax Review Commission was chartered to do.

"They did not, as I recall. One year they came in and asked for \$450,000 for a consultant to do the work that we thought that they would be able to do. Now, the \$300,000, is that for..., if the chairman could answer my question, does that include an allotment for consultant fees for staff or could you explain, please."

Senator Yamasaki then replied:

"It includes staff and consultants and other services that are required by the Commission."

Senator Cayetano then responded:

"Thank you, for that reason, Mr. President, I am against this bill. We don't need a Tax Review Commission which is going to spend big money, in this critical time, where money is short, to do work which we thought that they could do because of their backgrounds. Frankly, I think the Tax Review Commission was a big mistake and I think that we should have commissioned members of the Legislature to occupy or form a Special Committee to do this kind of work in the interim. We have not, and I think that this is a waste of money."

Senator Henderson rose and stated:

"Mr. President, I rise to speak against the measure. I agree with the previous speaker. It seems to be foolish to again create another Tax Review Commission, to appropriate another \$300,000; who knows for what purposes. When these decisions of what the tax laws of the State of Hawaii are going to be, are issues that should properly be determined by the Ways and Means Committee of the Senate and the House Finance Committee. It seems to me only proper, that this matter be discussed in a joint interim committee of the

House Finance Committee and the Senate Ways and Means Committee, because, after all, Mr. President, if you get a report by a consulting firm, we still have to educate ourselves.

"We, here as a body in the Senate and the members in the House, 51 in the House and 25 here in the Senate, have to understand what tax laws we are passing. And, tax laws are very complicated. They are interrelated, and it is something that you just can't take a consultant's report and understand full well what all the ramifications are. It seems to me that it's only the right thing that it should be done by a legislative committee in the interim. Thank you."

Senator Cobb then rose and stated:

"Mr. President, I'll speak in favor of the bill with reservations, and one of my principal reservations is that I notice that it is still two years before we are going to receive the Tax Review Commission's report, which will in effect, put off any fundamental tax reform by this Legislature until 1985 because it will be so convenient and so easy to say, 'Well, let's not make any changes in 1984, because we have the Tax Review Commission that's doing its work and their recommendations will be coming the following year.'

"I would like to think that it would be possible to do this work in one year's time if we had a commission that was willing to put in the time and the effort to get the job done in seven or eight months. That is apparently not the case according to the input of the House and the decision of the committee. So, in effect, we are going to be binding, or at least crippling the actions of a future Legislature, namely the Thirteenth Legislature in 1985, by saying that the recommendations of this Tax Review Commission will be thrust upon their shoulders.

"I offer them my condolences and a sympathy card rather than congratulations because that is going to be a major job and undertaking and it will be very difficult to address the first session in which it is received. In fact, by 1985 we will be into the second period required by the Constitution, since we're supposed to have one of these Tax Review Commissions every five years."

Senator Abercrombie then rose and stated:

"Mr. President, speaking against the bill, the previous speaker has made an excellent argument, and an addendum, if not a summation of the previous speakers before him to be against the bill. It's not that it is likely that there will not be any tax reform, but a certainty that there will be no tax reform. And the only way that we can bring tax reform about is that we do not set up this commission.

"By passing this bill, what we are saying to the taxpayers is, 'You may get our condolences and our sympathy, but you're certainly not going to get any tax reform.' I don't think it is proper for us to offer condolences and sympathy to the taxpayers. I think it's our duty and our obligation to go about putting together a comprehensive tax reform package, which, if not this Senate, then the House should do. I would remind everybody here, that while the House may have passed this bill over about the Tax Commission, if the Tax Commission dies in this body, then we will have to go and carry on our work. Something will have to happen in its place and it's perfectly plausible and feasible for the Senate to lead the way.

"Now, I for one, and I'm sure that there are others here that would be very happy to participate, whether we are members of a particular committee or not, in terms of interim hearings. All Senators are obviously interested in it, as one of the previous speakers said, need to educate themselves on the issues. It is not the first time that tax reform proposals have surfaced. They have been in this body, in the past, and I'm sure that they can be revived, if you will, and brought up to date. And, we should do it. Mr. President, I urge you, as the presiding officer, to take the lead in this respect. If I recall correctly, your position in the past has been against the Tax Review Commission, for sentiments as expressed by the previous speaker and speakers, that we should and could do the job here in the Senate. If we do a proper job, I'm sure that we can go to our colleagues in the House and indicate to them that we're prepared to move ahead.

"The alternative, and I think it should be clear for the record, is as the previous speaker noted, a hiatus for genuine tax reform because, even those of us who would wish to come forward with a program, either in

part or in whole, will find himself or herself running up against an argument that, 'But what if we put this in and the commission comes out with some other kind of recommendation and it runs counter to what the commission wants?' It will put a stranglehold on the initiative of the Senate with respect to tax reform. Now, maybe that doesn't bother anybody. I don't know. It bothers me, it bothers others, I know, in the sense of us not taking an approach which emphasizes the resources that the Senate can bring to bear on this issue.

"So, the main argument that I have against this bill is that the commission will take the place of action with respect to tax reform. We'll put it off until such a time as we will be unable to make any provisions next year and possibly even the year after, and that we are perfectly capable in terms of our own resources here in the Senate of leading the way on tax reform. We took this position previously, in the Senate. It was a sound position. There are no compelling arguments to the contrary in the bill or in the committee report which alter that. Obviously it's bipartisan with respect to seeing that such a Commission is not necessary and the effect will be a positive one for us regardless of all the other political activity that may be going on here in the next few days or in the weeks to come. It will give us an opportunity to do something fundamental on a bipartisan basis in a sense of participation and most certainly will rebound to the credit of the Senate as a whole again, regardless of whatever differences may exist among us or between us for that matter."

Senator B. Kobayashi then rose and stated:

"Mr. President, I'd like to speak in favor of the bill with reservations. I signed the bill with reservations for two reasons. Number one was that as a member of the House, I was the person on the House Finance Committee who asked when the department appeared before us, how much they would require for the Tax Review Commission. They replied, I believe, \$45,000. Upon hearing that number, I asked again, 'Are you sure you can do it for that amount of money?' The reply was, after some conferring, 'Yes.' Now, we find out that that sum is inadequate.

"The second thing that I have reservations about is that when you set up an organization, a review

commission of this importance, you have to give it some direction. In the Constitution, we have a body, the Water Use Commission, also amended in the State Constitution in 1978, and this body is supposed to come up with a water use code. That body has presented before the Legislature, an eight-page summation or shall we say an eight-page synopsis of the report they hope to produce. That commission, the Water Use Commission, I believe, has a much firmer direction as to where they will go in the several years that they have to develop this water use code.

"This Tax Review Commission has relatively few guidelines from the Legislature except for the comments about equity and efficiency and evaluation of the state's tax structure, and recommended revenue and tax policy. That's the problem that I see with this bill. I hope that passage of this bill would allow the conference committee to work up language giving this Tax Review Commission some specific directions and hopefully start it on its way with clear intentions spelled out by the Legislature as to the nature and form of the final product.

"Thank you."

Senator Cayetano then rose and stated:

"Mr. President, just a few more remarks on the bill. I think that if we want to fund the Tax Review Commission, then we should stake out for ourselves here in the Senate, a policy that will not make the work of the Tax Review Commission more difficult. And we have done that by passing a whole slew of bills relating to tax credits, and a certain half percent excise tax bill that went over to the House. We really should hold off, as a matter of policy, and not pass those bills because all it does is tend to make the work of the commission more difficult.

"I think, frankly, that whatever the report of the Tax Review Commission...I disagree with Senator Cobb...it probably won't be binding on any Legislature. We're going to do whatever we want here, irrespective of what the Tax Review Commission wants, or reports. So, if we want to stand firm and have the Tax Review Commission, then let's act accordingly and let's consider the tax bills here appropriately. Thank you."

Senator Cobb then stated:

"Mr. President, just one brief additional observation, if I may, with respect to the Tax Review Commission. You know, every year we seem to get a bill like this from the House, and every year we seem to send over tax reform measures to the House that routinely die in the House Finance Committee, and I'm sure many Senators are aware of this. Basically, the premise is that it takes two to tango, and every year that we put off action means that we're going to have another Tax Review Commission bill within a year, and pretty soon we're going to be up against the section on five-year hiatus when we should be having another Tax Review Commission.

"So, my feeling is let's get the job done and see what they come up with. Even though it's not binding, it is going to impose a few constraints or hiatus on some of our tax actions for one legislative session. Let's see how thorough the job is.

"I think also, Mr. President, this bill and a number of others that emanate from the 1978 Constitutional Convention present a very good argument that future proposals of the Con-Con ought to have a public price tag on them so the voters would know what they're paying for."

Senator Abercrombie then rose and stated:

"Mr. President, I rise to speak against this bill again. The two speakers who have risen to speak in favor of the bill with their reservations, in citing their reservations, it seems to me, have made compelling arguments against the passage of the bill, despite the previous speaker's addendum. The vice-chairman of the Ways and Means Committee has indicated that there are no specific directions, et cetera, in his remarks. Then it's up to the Senate to put those in, wouldn't you say, because the hope that it will be added at the conference level when the House didn't choose to do it in the first place, I think, is a forlorn one.

"If we really feel, and if speakers in favor of the bill, that is to say in favor of the idea, I shall put it that way, really mean that we need specific directions and at least boundaries set up for such a commission, then we should have it done in the Senate. We did not do it. If this report does not do it and the bill itself..the language of the bill does not do it; therefore, it would seem to me it's best for this bill to be set aside

and that we take up the task ourselves to the degree that there is anything in the way of whether it's binding or not in terms of a report, we can certainly bind ourselves to the idea of taking up tax reform as a major issue going into the next elections, rather than going past the next elections.

"I, for one, have no fear of doing that if I feel that I've participated in a body which has deliberated fully and freely a tax reform in any respect. And I would go with the consequences of that regardless of whether that it was popular or not. It's when we shift our responsibilities elsewhere that we run into trouble and find ourselves having to answer for people who are not accountable other than in the abstract. Therefore, the arguments that were made, it seems to me, that were made in favor of the passage of this bill, in fact, argue to the opposite and it would be in the Senate's best interest, as well as the taxpayers of the state, that we stop this bill at this stage and take up the cudgels of the tax reform battles ourselves."

Senator Kawasaki then stated:

"Mr. President, listening to the discussion here has changed my position. With reservation, I'm going to vote no on this. I think the vice-chairman of the Ways and Means Committee gave us some really compelling reasons for our passing this bill the way it is. He and I both have some sanguine hopes that in conference committee some of these concerns could be addressed perhaps in a committee report, but it just dawned on me, this language is exactly what the House passed over to us and I don't think that there is going to be a conference committee.

"For that reason and for the reason that the vice-chairman of the Ways and Means Committee gave us that the Tax Office had said initially that, in their judgment, the study would cost \$45,000, but on second thought it might cost a little more. I don't mind a little more...let's say two times the \$45,000 or even three times...but when that little more gets to be \$300,000 or roughly 7-3/4 times more than \$45,000, then that figure gets quite excessive and in view of the fact that there will be no conference committee and no direction given on this item in any kind of a committee report, I urge a 'no' vote against this."

The motion was put by the Chair

and Roll Call vote having been requested, H.B. No. 3, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 13. Noes, 12 (Abercrombie, Ajifu, Carpenter, Cayetano, Fernandes Salling, George, Henderson, Kawasaki, A. Kobayashi, Soares, Solomon and Toguchi).

Standing Committee Report No. 745 (H.B. No. 45, H.D. 2, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 745 be adopted and H.B. No. 45, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

At this time, Senator Toguchi rose and stated:

"Mr. President, I rise to speak in favor of this bill with reservations, and I'd just like to explain my reservations.

"This bill, as far as the appropriation, is contingent upon passage of Senate Bill No. 1464, which is the excise tax bill, and I'm very concerned that it's tied to that bill. I will be voting, as I pointed out, with reservations, and I'm hopeful that when we go to conference we can resolve this problem or concern. Thank you."

Senator Abercrombie then rose and stated:

"Mr. President, I'm all so optimistic when I hear the word, 'we.' Hope springs eternal.

The President the replied:

"Hope does spring eternal."

Senator Abercrombie then replied:

"Yes, I wouldn't count on it. I would speak against the bill. On conference committees, whether they exist or don't exist for any of us ...that's why it's always interesting to watch the votes go, like 13 to 12, when you thought that there might be more, sometimes there's less...it makes us all think, doesn't it? That's mostly a rhetorical question.

"The argument was made this morning, I think, I rose earlier this afternoon...I think I rose on this and

asked that it be put over or said that perhaps it might be put over, because it is a bit stretching the imagination to talk about research in this area. If it's going to be a subsidy of some kind to the sugar industry, I think we should just call it that. Perhaps someone can indicate to me, who is in favor...I guess I'll ask the chairman ...precisely what is the research and development that will take place that would otherwise not be taking place. Could the chairman...."

The President then interjected:

"Is that a question, Senator Abercrombie?"

Senator Abercrombie answered in the affirmative and the question was posed by the Chair.

Senator Yamasaki then responded:

"It is for continuing research in sugar."

Senator Abercrombie then replied:

"You know, Mr. President, I appreciate the answer because it is a source of amusement to some people. When you have gone through the process like I have where you see people coming in to testify for two and three thousand dollars, when you see how concerned people are throughout the state in education ...we need relief; I certainly hope and have been able to maintain a good sense of humor, at least most of the time...but when you're talking about three million dollars to an industry with the kind of resources that are available to it...and it's not just the industry, we all know we're dealing with conglomerates and we talk casually about it...maybe it gives people a sense of satisfaction to be able to come up with a wise remark with respect to three million dollars.

"When I deal with issues as I have, where \$3,000 or \$30,000 makes all the difference between life and death in a program, when people's goodwill and good faith is put to the task, then it doesn't seem so amusing to them. I guess it's only when you find yourself in an exalted position of being in a legislator that you can afford to take a jaded attitude toward something like two or three million dollars, that you can afford to be cavalier and casual about the idea of what it's for or not. When I've watched people in committees, Ways and Means or otherwise, be pilloried over whether or not they can account for every last single penny. I watched in areas in Culture

and Arts, for example, people who must pass the test of scrutiny over a few thousand dollars that few of us personally could bear, and then watch in turn that it is a matter of some levity that we're simply going to pass out three million dollars to the sugar industry. Well then, that tells you how things are run, doesn't it? It gives you a good idea of where one's loyalties lie. It gives you a good idea what you think of the legislative process. Probably the fault of a lot of people, for example, in education, that I mention, is that they don't ask for three million dollars. Maybe they'd get it real easy if he says, 'for continuing education' with it, so let's just give them three million dollars!

"So, the answer to the question obviously doesn't do anything to me. It doesn't harm me personally, except as a taxpayer, but it does harm to the legislative process! It does indicate for the record and to the public as a whole as to where our priorities are and we wonder why people don't participate in elections, we wonder why they don't want to participate in the governmental process, you wonder why they're cynical, you wonder why they think all politicians are crooks, you wonder why they think that politicians don't care about them. Well, perhaps they wouldn't have the same kind of amusement.

"I have voted in the past, as you well know and as the chairman knows, for funds including funds to subsidize loans, especially on the Big Island in Hamakua and other areas, and I would hope that if I was asked questions about something as important as this, especially in an area...I would refer to the Big Island again, where I voted in the past for areas that were not especially popular...in the task force, for all the task forces when more money was asked for feed grain. I had no votes in Manoa or Makiki for voting more money for the Big Island, for the Kohala Task Force, but I voted for it because the research was laid out specifically with respect to the corn, with respect to cattle feed. That research did not pan out. It was not the lack of trying the College of Tropical Agriculture; it was not the lack of a set plan.

"When I was asked for those things and when I was informed about them, as the Senators from the Big Island well know, I was leading the charge in the House to vote for that money, regardless of the political popularity was of it because I felt that the plan

was solid. And so, when I stand up and ask a question like this, about what is the research and development about, it's not asked to confuse. It's asked to see whether we're going to do the same kind of thing. So when the answer comes in that fashion, is it any wonder that some of us are upset as to the way things are operating? Is it any wonder that we may be called into a conference in the Senate in terms of what we're going to accomplish, and what kind of meaning and justification we're going to be able to bring forward? It may serve, as I say, to tactically, I don't know if that's even the right word, for the moment, to triumph with answers like that. But is that really in the taxpayer's interest? Is it really in the interest of the things that we want to accomplish? It's not the reason that I came into this Senate; it's certainly not the reason that I have voted the way I have in the past whether it's for organization or on bills.

"It would seem to me that we might well remind ourselves of what we're supposed to be in here for...for if it's to score points on one another, that's a poor, poor substitute for the high calling that we all have given ourselves when we took our oath. It's such a transitory kind of satisfaction. I suggest that if this is the kind of answers we're going to come forward with to the public, that a sad state of affairs exists and it's something that I wish not to be associated with.

"I'm perfectly willing to vote to aid and assist industries in this state when I'm properly informed as to the why's and wherefore's. I have not had a chance or opportunity to find out what those why's and wherefore's are. I asked for that opportunity here on the floor because I didn't have the chance in the caucus to ask this question, and what I received for an answer was someone's idea of a joke! Someone's idea of a comedy routine! Well, it may be enjoyable for us here on the floor for the moment, but it is certainly not anything that we can be proud of legislatively.

"So, I will not vote for this bill -- not on the basis that I'm unwilling to aid and assist industries whether they happen to be wealthy or not wealthy with respect to research and development because I know, as I've indicated, as to how that can be beneficial within the university system or in other areas of our resources in the state, but I will not vote for it

on the basis of what amounts to a practical joke on the legislature that we really don't have to tell anybody what three million dollars is for!"

Senator Toguchi then rose and stated:

"Mr. President, I'd like to respond. As the subject matter chairman, I think I should say a few things. This current year, the appropriation to the HSPA is three million dollars. It's on a matching basis, for every dollar that they put in, the state matches a dollar. The committee got a report from the HSPA this coming year and the committee was quite satisfied with the six-months' report.

"Primarily, the monies were used for research and development, more specifically, to improve yield in crops by finding different strains, also finding more disease resistant and pest resistant strains of sugar cane. Research was also done in terms of irrigation, how to get more yield out of the acre. The committee went in detail into the report. It was only a half-year report because we're only half way through the year.

"The dollar-for-dollar match, by the way, is the same thing in this bill this coming year. The sum appropriated is going to be expended by the Governor's Agriculture Coordinating Committee and there is a written contract with the HSPA, and the HSPA, prior to being allocated any money or being given any money, will have to come before the Governor's Agriculture Coordinating Committee. On that committee you have people including Jack Suwa, also people representing DLNR, DPED and others in the administration, and they have to approve the projects that will be submitted to the Agriculture Coordinating Committee. This is the way they're also doing it for the current year.

"I apologize for not having this opportunity to share this information with other members who do not sit on the Agriculture Committee, and just one last thing, Mr. President, so there's no misunderstanding, since my earlier statement, I'd like to amend that by saying that if the Senate goes to conference with this bill. Thank you."

Senator Carpenter then rose and stated:

"Mr. President, I rise to speak against this measure.

"Mr. President, I supported Senate Bill No. 1464 as a vehicle for discussion and that is the increase in tax from 4 to 4½% for the purposes of placing our budget in the House. Mr. President, I cannot, however, support even though I would like an appropriation made to the HSPA for the carrying out of the research projects so vital to the sugar industry, a measure which basically levers or conditions an appropriation that's spoken to in SB 1464 because that lever carries with it more than the amount represented here of two million dollars.

"I feel that as much as we, in the Senate, don't like bills coming to us from the House which basically hold certain provisions hostage, I don't think that we should be playing this kind of a game. If, indeed, we want to appropriate this amount from the General Fund, then I think that's an appropriate expenditure, but to hold this particular project hostage, as dependent and conditioned upon Senate Bill No. 1464, I don't think is a good product coming out of this body."

Senator Kawasaki then rose and stated:

"Mr. President, I started out, I suppose, the discussion on this bill in opposition in the morning session and I still urge a 'no' vote on this bill. But I'm delighted to hear Senator Carpenter's confession that he voted for the increase in the excise tax bill of half of a percent, which makes the vote on that particular vote 12 to 13 -- pretty close. I suppose there are a few others who voted for that bill on the basis of that being a discussion point. Now, if that were the case and they really voted their convictions instead of for discussion the I don't think we would even have a stalemate on the budget because I think most are us are voting 'no' on the budget because of our concern that it's tied up to a sales tax that many of us here, and I'm hoping the majority, really are opposed to a sales tax increase. But I'm delighted to hear some of this clarification and again I think an expenditure of \$2,070,000 for this bill which is to be matched dollar-for-dollar by the HSPA is not warranted at this point.

"The other question I have if the chairman of the Agriculture Committee would yield to a question is, what has been the annual average expenditure by the HSPA; that is to say, the industry, on research generally on

sugar?"

Senator Toguchi then replied:

"Mr. President, it's my understanding that the budget of the HSPA has been approximately five to six million dollars a year and the year prior to the current year's appropriation, the operating budget of the HSPA was approximately six million. At that time the six million was totally from the participating companies. They are all part of the HSPA."

Senator Kawasaki then replied:

"Thank you very much. Then, it is my opinion that another \$2,070,000 from the Legislature, from the taxpayers, and a dollar-for-dollar match to make that \$4,140,000 is not going to assure us in any way that research is going to be so successful in this area that perhaps this is a good expenditure of taxpayer's funds. That even more convinces me that perhaps we should not be voting for this bill."

Senator Abercrombie then rose and stated:

"Mr. President, I appreciate the Agriculture chairman's explanation. That was the kind of thing I was looking for. Again, as I say we might have had this had we been able to have a discussion on it, it might have been settled, and if the Judiciary chairman's argument were not before us, I would be willing to vote for it on that basis. But, Mr. President, you yourself are well aware and have enunciated in the past, both I believe as Ways and Means chairman and as President, that you are unlikely to be swayed by bills which come in package, that is to say, they either stand or fall on their merits and the packaging of bills is something that you don't approve of. In this instance, we have done that. In effect, the leverage that is there, I think, presumably is there, is something that I cannot abide. As the Judiciary chairman has indicated, even though he may also wish to see it passed, it's tied in a way that I do not think augurs well for the passage of the bill, and therefore, I cannot support it."

Senator Henderson then rose and stated:

"Mr. President, I speak in favor of the bill with reservations. It seems to me that the sugar industry in the State of Hawaii is such a major

industry that to use it as a pawn in negotiations with the House over a tax bill is highly irregular. Furthermore, as I understand it, Senate Bill No. 1464, and maybe the chairman of Ways and Means could answer the question, but as I understand it, it will double the tax on manufacturing from one-half of one percent to one percent.

"So, it seems to me that at the same time we're handing out a subsidy to the sugar industry, we're also doubling their tax burden. To me, that's nonsensical! It just seems to me that for this body to get involved in this tying of this bill to a tax bill of questionable merit, is irresponsible.

"I will be voting in favor of this bill however, and I hope they will be taken care of in conference. Thank you."

Senator Cayetano then rose and stated:

"Mr. President, will the chairman of the Ways and Means Committee yield to a question?"

Senator Yamasaki answered in the affirmative and Senator Cayetano continued:

"Mr. President, will you ask the Chairman if this bill does in fact do what Senator Henderson says that it doubles the tax?"

Senator Yamasaki replied:

"Yes, I believe he is correct. While I have the floor, Mr. President, I might add...speaking in favor of this bill...I might add that this bill will be a matter of conference, and I think that all of the objections that have been raised will be part of the consideration. Thank you."

Senator Toguchi then rose and stated:

"Mr. President, I'd just like to make one correction. One of the previous speakers was talking about the two million dollars and possible the budget of HSPA is going to be approximately four million. That would not necessarily be the case because it is my understanding that industry will be contributing more this coming year, so the budget could very well be between five and six million again.

"Another thing I just wanted to point out, I had some problems with

this bill initially but the thing that convinced me about this bill was the fact that we are talking about the largest agricultural industry in Hawaii and we are talking about approximately 9-10,000 jobs, and with some of the sugar plantations going down, and if you want to say that this is an indirect subsidy, I guess it is.

"If it's a question of do we lose jobs because the companies cannot put into HSPA, because it becomes...it's really we are in a way contributing to part of their overhead and so I have to admit that it's an indirect subsidy. But I think that when you look at the benefits that we will be deriving from the results of the experiments...."

"Finally, I wanted to point out, in closing, that we have had concerns expressed by some members of the Agriculture Committee that we have done some great things in Hawaii for sugar and pineapple and we've had foreign countries use that same technology to compete against our industry here in Hawaii. Because of that kind of concern, also written into the contract is that HSPA, any time they do take technology that's derived from these monies, they have to go to the Department of Agriculture and ask for some kind of concurrence prior to sending this technology somewhere else. Thank you."

The motion was put by the Chair and carried and Stand. Com. Rep. No. 745 was adopted and H.B. No. 45, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Abercrombie, Carpenter, Cayetano and Kawasaki).

The President then stated:

"If there be no objection by members of the Senate, we will take a short recess and reconvene at 8:30 p.m. this evening."

At 5:30 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

EVENING SESSION

The Senate reconvened at 10:15 o'clock p.m., with all members present.

At this time, the President stated:

"At this time the Chair would like to apologize to all the Senators for the delay, and hopefully we can conclude our business."

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 62 and 63) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 62), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE ESTABLISHMENT OF AN ARTS CENTER AT THE LINEKONA SCHOOL SITE," was offered by Senator Abercrombie.

By unanimous consent, S.C.R. No. 62 was referred to the Committee on Culture and Arts.

A concurrent resolution (S.C.R. No. 63), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE UNITED STATES SENATE EXPEDITIOUSLY ADVISE AND CONSENT TO THE UNITED STATES PACIFIC ISLANDS FRIENDSHIP TREATIES," was offered by Senators Henderson, George, Soares, Ajifu and A. Kobayashi.

By unanimous consent, S.C.R. No. 63 was referred to the Committee on Federal Relations.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 78 and 79) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 78), entitled: "SENATE RESOLUTION RELATING TO THE ESTABLISHMENT OF AN ARTS CENTER AT THE LINEKONA SCHOOL SITE," was offered by Senator Abercrombie.

By unanimous consent, S.R. No. 78 was referred to the Committee on Culture and Arts.

A resolution (S.R. No. 79), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF OTHER STATES' LEASEHOLD LAWS," was offered by Senator Young.

By unanimous consent, S.R. No. 79 was referred to the Committee on Housing and Urban Development, then to the Committee on Legislative

Management.

MATTERS DEFERRED FROM
EARLIER ON THE CALENDAR

Standing Committee Report No. 749
(H.B. No. 1313, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 749 was adopted and H.B. No. 1313, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MEDICAL ASSISTANCE REIMBURSEMENTS TO HOSPITAL-BASED NURSING FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 754
(H.B. No. 1562, H.D. 2, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 754 was adopted and H.B. No. 1562, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 225, H.D. 1, S.D. 1:

Senator Yamasaki moved that H.B. No. 225, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

At this time, Senator Kawasaki rose and stated:

"Mr. President, will the Chairman of the Way and Means Committee yield to a question?"

Senator Yamasaki answered in the affirmative and Senator Kawasaki continued:

"Mr. President, this committee report confuses me. I read by this report that the purpose of this bill is to maintain the temporary 14% interest rate that may be paid on general obligation bonds until June 30, 1984, next year, after which the statutory rate of 9.5% shall apply. However, the bill itself gives me the impression that it is not so, that the 14% interest rate is almost a permanent fixture until we change it in the future.

Could you clarify that point?"

Senator Yamasaki replied:

"Yes, originally, I believe that the bill called for a 14% interest rate, which was the Administration bill. However, I do recall the Senate had a bill that removed all of the ceilings and the House came over with the bill establishing the 14%."

Senator Kawasaki then queried:

"Permanently, is that correct?"

Senator Yamasaki, having answered in the affirmative, Senator Kawasaki continued:

"Well, okay. Mr. President, that being the case, I wish to speak against this bill and vote against it. I think it is one thing to have a 14% interest rate ceiling be in effect for a limited time. This bill, in effect, makes the 14% mandatory until some time in the future when we change these rates.

"As I started to say earlier today, before this was put to the end of the calendar, the Administration used to come here and tread rather gently asking for an increase in the interest rate ceilings that we would establish for these bonds. When they came at the time it was 8%, they asked for 9.5%, they were a little bashful about it. Today, they are rather brazen and say, 'Let's lift it from 9.5% to 14% permanently.'

I think this may be a very bad trend that we are establishing. Who knows what they're going to ask in the future...perhaps even raising this 14%. I think for government bonds or bonds with the credit and backing of the state government should not require a permanent setting of a 14% ceiling on interest rates payable. I believe for that reason we should vote this down."

Senator Cobb then rose and stated:

"Mr. President, I rise on a point of parliamentary procedure. The first paragraph of the bill is a classic example and illustration of why a change is needed in the bill-drafting manual relative to the writing of committee reports, that when the original intent of the bill has been changed, that first paragraph in describing that original intent should reflect the past tense 'was' rather than the present tense 'is;' otherwise this kind of confusion would continue on a variety of other bills, and that

is why we have adopted on our own, adopting that past tense whenever a bill has been changed substantially from its original intent. I would commend that to the attention of those who participate in the writing and the bill-drafting manual. Thank you."

The motion was put by the Chair and carried, and H.B. No. 225, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Abercrombie, Carpenter, Cayetano, Fernandes Salling and Kawasaki).

Standing Committee Report No. 761 (H.B. No. 1297, H.D. 2, S.D. 1):

Senator Yamasaki moved that Stand. Com. Rep. No. 761 be adopted and H.B. No. 1297, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

At this time, Senator Kawasaki rose and stated:

"Mr. President, earlier this morning, as I recall, Senator Abercrombie had mentioned the fact that this is a bill asking for the special purpose revenue bonds for the hospital facilities in the future, for St. Francis Hospital. This is a little different from the other special purpose revenue bonds for hospitals in that these projected building programs for St. Francis Hospital have not yet been approved by SHPDA and our passing these special purpose revenue bonds ahead of the approval may just be sort of a leverage I don't think was intended here and I think it's so mentioned in the committee report.

"Notwithstanding that it's so mentioned in the committee report, I think it does act as a leverage to SHPDA to in effect approve St. Francis Hospital's building plans. We do this by passing this bill prematurely, allowing for these special purpose revenue bonds. For that reason, I think this one should be voted down."

Senator George then rose queried:

"Mr. President, will the chairman yield to a question?"

Senator Yamasaki answered in the affirmative and Senator George continued:

"Mr. President, earlier on, when this bill was under discussion before it was deferred to the end of the calendar, I believe the chairman responded to a query from another Senator that this would not come into play unless the certificate of need procedure for St. Francis Hospital had been completed. Am I correct, Mr. President?"

Senator Yamasaki then replied:

"That was the statement that I made."

Senator George then continued:

"If I may, Mr. President, I would like to call the Senators' attention to the second page of the committee report. When this bill left the Health Committee, it was consistent with the statement just made. But the bill has been amended to delete this provision that was in the bill when it left the Health Committee.

"Your committee,' if I may read from the committee report that came out from Ways and Means, '...has amended the bill by deleting the requirement for approval of the certificate of need in the bill itself and authorizing refunding special purpose revenue bonds...' I believe, Mr. President, that...at least I am confused as to the situation which in fact obtains in this case.

Senator Yamasaki then replied:

"Mr. President, that's correct. However, in the application for the certificate of need before the State Health Planning and Development Agency, I believe that there is a requirement for the hospital to show the means of financing -- what kind of means of financing that they have for that project."

Senator George then stated:

"If I may, Mr. President, when ...and perhaps, it may be appropriate for me to inquire later of the chairman of the Health Committee, that it is my understanding that there are four applicants for this particular certificate of need process that are going to be happening in the same batch of applications. One of them is from a private or a proprietary facility that requires no state funding at all. The others may also require some kind of bond assistance from the state. I am inclined also to agree with the Vice-President when he says that this might give a certain amount of leverage because we would have appointed one among four applicants.

"Mr. President, I intend to vote against this and I ask my fellow Senators to join me."

Senator Abercrombie then rose and stated:

"Mr. President, as you know, I voted, I think, favorably on virtually all the special purpose revenue bonds. I think on the whole it's a good thing to do, but I suppose I'd better ask that question. I would like to hear that question. Are there other people competing for approval with SHPDA? Maybe not everybody understands the process...the State Health Planning and Development Agency, having been through it with other...in another area of health care, and having gone through many of these meetings myself, I can tell you that this is an arduous process to go through to receive a certificate of need.

"So, I guess I would ask you to ask the chairman of the Health Committee whether or not there are other competing interests. I didn't know that there were, and it's very disturbing if what the previous speaker says is the case."

The question was posed by the Chair and, Senator Machida, having answered in the affirmative stated:

"Mr. President, I'll be glad to answer that question. There are presently four applicants pending before SHPDA. That's correct. St. Francis is one of them and there are two Mainland hospitals and the fourth applicant, I believe, is Kuakini, which is trying to expand their present facility. However, as indicated by the committee report, I want to make it very clear that this concern was thoroughly discussed in our committee's deliberations and that approval of the bill will in no way affect the approval of the certificate of need for the four applicants. Thank you."

At 10:29 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:43 o'clock p.m.

By unanimous consent, Stand. Com. Rep. No. 761 and H.B. No. 1297, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," were recommitted to the Committee on Ways and Means for further consideration.

House Bill No. 337, H.D. 1, S.D. 1:

On motion by Senator Uwaine, seconded by Senator Yamasaki and carried, H.B. No. 337, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES AND MOPEDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 453, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 453, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ROBBERY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 901, H.D. 1, S.D. 1:

Senator Carpenter moved that H.B. No. 901, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

At this time, Senator Cobb rose and stated:

"Mr. President, on page 9 of the bill is an amorphism of a word that has been an embarrassment for some time. The word 'chairperson' appears not once, not twice, but three times. I'd like to enter into the Journal of the Senate the statement from the National Association of Parliamentarians in terms of a resolution they adopted unanimously stating that there is no such word as 'chairperson.'

"I quote from the July 1976, Hawaii Historic News article, 'It's CHAIRMAN...Regardless of Sex':

'The 20th Convention of the National Association of Parliamentarians in San Francisco passed the following resolution:

Whereas, Parliamentary Law has a language all its own; and

Whereas, In olden times the one presiding was the only person provided with a chair, while others sat on benches; hence he was called the Chairman; and

Whereas, No parliamentary law authority or dictionary recognizes the word Chairperson; and

Whereas, Since time immemorial the term "Mister Chairman" or "Madame Chairman" has always been employed to differentiate between sexes; and

Whereas, Further effort toward sex differentiation is redundant and contrived; now therefore be it

Resolved That organizations and parliamentarians of the National Association of Parliamentarians must use the term Chairman instead of "Chairperson" and let it be

Resolved That all N.A.P. members should habitually stress the principle that the word Chairman belongs to the title of the office the same as the title of President or Secretary.'

"On the back of this little historical item, Mr. President, was an editorial from the Honolulu Star-Bulletin when Marilyn Bornhorst was elected Chairman of the City Council, not 'Chairwoman,' not 'Chairperson,' not 'Chap-person,' but Chairman, and the proper way to address the Chair is 'Mr. Chairman,' or 'Madame Chairman.'

"It concludes by saying, 'In looking through the shorter Oxford English Dictionary we could find no justification for chairwoman or chairperson, but we were astonished to find a bisexual nature to the word 'chap.'

'If women want to be known as 'chapwomen,' they can trace it to 1823 with the definition of "a female dealer or hawker." The word is the feminine form of chapman, now shortened to chap. "Chapperson," was not used.'

"If that too, may be inserted into the Journal, Mr. President, as to why 'Chairperson' is a nonentity of a word.

"Thank you."

The motion was put by the Chair and carried, and H.B. No. 901, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Cobb).

House Bill No. 800, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, H.B. No. 800, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO THE FAMILY COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Chang).

House Bill No. 253, H.D. 1, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 253, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 256, H.D. 1, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 256, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 257:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 257, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 272, H.D. 1, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 272, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 280, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 280, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1402, H.D. 2, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, H.B. No. 1402, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS LICENSE BOARD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Fernandes Salling).

Standing Committee Report No. 837 (H.B. No. 268, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 837 was adopted and H.B. No. 268, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE POPULATION AND PLANNING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Henderson, George and Soares).

Standing Committee Report No. 845 (H.B. No. 236, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 845 be adopted and H.B. No. 236, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

At this time, Senator Fernandes Salling rose and stated:

"Mr. President, I rise to speak against this bill. This bill is amending the ceiling from five million dollars to ten million dollars and allowing these monies to go into the Hawaiian Homes General Loan Fund. If the Committee on Ways and Means had allowed the limitation on the Home Loan Fund to state that those monies in that fund would be use specifically for the construction of new homes, then we should allow this increase in the ceiling.

"However, without that limitation, the department is able to spend the money according to Section 214, and let me read to you, some of the purposes for which these monies can be spent: 'To purchase livestock, swine, poultry, fowl; repair or maintenance or purchase or erection of dwellings on any tract, otherwise

assisting in the development of tracts or farms; the cost of breaking up, planting and cultivating lands to assist lessees in the operation or erection of theaters, garages, service stations, markets, stores, and so on; use monies in the development and operating funds with the prior approval of the Governor to match federal, state or county funds; use it for the purchase of seeds, fertilizers, feeds, insecticides medicines and chemicals for the disease and pest control for animals, fish, shellfish and crops.'

"As we've discussed earlier in this body, the primary purpose of the Hawaiian Home Lands is to place the people back on the land and to afford enough loan money so that they can build homes on these lands. Now, with this kind of limitation on this Home Loan Fund which states that the monies are to be used primarily for the construction of new homes, to increase the ceiling from five million dollars to ten million dollars will allow those monies to be used for the purposes I have just read to you, among others.

"Because of this, I have to recommend to this body that we vote down this bill. Thank you."

The motion was put by the Chair and carried and Stand. Com. Rep. No. 845 was adopted and H.B. No. 236, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Abercrombie, Cayetano, Fernandes Salling, A. Kobayashi, Kawasaki and Toguchi).

House Bill No. 1123, H.D. 2, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 1123, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEARINGS BEFORE THE BOARD OF LAND AND NATURAL RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Cobb and Solomon).

At 10:55 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55 o'clock p.m.

MATTER DEFERRED FROM
EARLIER ON THE CALENDAR

Standing Committee Report No. 824
(H.B. No. 1, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Stand. Com. Rep. No. 824 was adopted and H.B. No. 1, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 5, 1983, on the

following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Ajifu, George, Henderson, A. Kobayashi and Soares).

At 11:57 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:58 o'clock p.m.

ADJOURNMENT

At 11:59 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 12:01 o'clock a.m., Tuesday, April 5, 1983.

FORTY-SEVENTH DAY

Tuesday, April 5, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 12:01 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Senator Anthony K.U. Chang, after which the Roll was called showing all Senators present.

ORDER OF THE DAY

MATTER DEFERRED FROM
APRIL 4, 1983

Senate Bill No. 133, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 133, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION OF AQUATIC LIFE, WILDLIFE AND PLANTS," was deferred until Wednesday, April 6, 1983.

ADVISE AND CONSENT

Standing Committee Report No. 852 (Gov. Msg. Nos. 100, 101, 102, 227 and 228):

By unanimous consent, action on Stand. Com. Rep. No. 852 and Gov. Msg. Nos. 100, 101, 102, 227 and 228 was deferred until Wednesday, April 6, 1983.

Standing Committee Report No. 853 (Gov. Msg. Nos. 141 and 146):

By unanimous consent, action on Stand. Com. Rep. No. 853 and Gov. Msg. Nos. 141 and 146 was deferred until Wednesday, April 6, 1983.

Standing Committee Report No. 854 (Gov. Msg. Nos. 246, 247 and 248):

By unanimous consent, action on Stand. Com. Rep. No. 854 and Gov. Msg. Nos. 246, 247 and 248 was deferred until Wednesday, April 6, 1983.

Standing Committee Report No. 855 (Gov. Msg. Nos. 142, 143, 144, 145, 201, 202 and 203):

By unanimous consent, action on Stand. Com. Rep. No. 855 and Gov. Msg. Nos. 142, 143, 144, 145, 201, 202 and 203 was deferred until Wednesday, April 6, 1983.

THIRD READING

H.B. No. 703, H.D. 1:

By unanimous consent, action on H.B. No. 703, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATE ENERGY," was deferred until Wednesday, April 6, 1983.

Standing Committee Report No. 824 (H.B. No. 1, H.D. 1, S.D. 1):

Senator Yamasaki moved that Stand. Com. Rep. No. 824 be adopted and H.B. No. 1, H.D. 1, S.D. 1, pass Third Reading, seconded by Senator B. Kobayashi.

At this time, Senator Kawasaki rose and stated:

"Mr. President, while I'm voting for this bill primarily because while I recognize that there are flaws in the bill, we generally, as a matter of practice, go into conference committee fully aware that either the Senate or the House positions in total will not prevail. I am a little concerned that we have a format in this budget bill that provides for Part A and Part B, as you know, and that the Part B items require the passage of the excise tax increase from 4% to 4.5% bill that is over in the House. This, to me, is not the best way to enter into a conference.

"As you know, there were eleven Senators who voted against the increase in the sales tax because we fell, first of all, that this is perhaps one of the most regressive type of taxes and to increase the excise tax a half percent is just opening the door for future increases. Any time a lobby group or lobby groups find that we're short of funds in the state treasury, they would recommend, perhaps in the future, that we just increase the sales tax one-half of one percent or a quarter percent.

"This opens the door, and in view of the fact that right now, the state is negotiating wage increases, and as I recall, the state's posture, if I read the newspapers correctly, was that for this coming year, there'll be no increases but perhaps a 2.3% increase next year. Can you imagine the kind of pressure that's going to be brought upon the House in this case

to pass the Senate's sales tax even if it passed by a bare majority on this side? They'd have to pass it to negotiate a more sizable wage increase. This is one concern that I have.

"The sales tax, of course, as I said, is a regressive tax. It's the kind of tax that people cannot avoid. It works a hard ship on those people living on a limited income. It only compounds the problem that we seem to have, that is to say, that the State of Hawaii has a bad image as being 'anti-business' as far as businessmen are concerned and that the cost of their doing business is going to be increased by an increase in the sales tax, all of which is to say that the budget bill going over to the House, predicated on a possibility of a sales tax passing is not a very good posture to enter into conference. Outside of that, I'd like to voice some of my concerns, hopefully, that will be considered by the conferees on the Senate side as they go into conference with the House.

"Page 6 of the Standing Committee Report reads as follows, and this is one of the many concerns that I have: it points out that medical care practitioners, payments made to them by the state under the medical care program and all types of medical care that is provided for by the state is going to be reduced by 5%. Now this is a very arbitrary 5% across-the-board reduction. Perhaps the Ways and Means Committee and the conferees should take a look at the schedule of fees allowed by the state. Perhaps the physicians being cut 5% and the dental care provided is also being cut 5% is not a good formula. Perhaps we should examine the medical care payments, particularly in regard to dental care payments that we're making. As a layperson examining the schedule, it seems to me that the payments made on dental care, perhaps under the present financial constraints of the state, is perhaps excessive; perhaps a greater cut should be made in this area. I know that this will not endear me to the dentists in town.

"We also have a recommendation, a proposal by the Senate Ways and Means Committee not to go along with a recommendations made by the Department of Social Services and Housing and the Health Department. They propose that Waimano Home not take advantage of the federal medicaid program, primarily because while it qualifies us to receive some federal funds. These federal funds have

been reduced substantially, and being under the federal medicaid program requires our funding for three positions permanently, to 'monitor the programs of Waimano Home.' Second, qualifying for the federal aid also requires substantial financial cost in the way of improvements that are mandated by the Feds for the facilities over at Waimano Home, over and above what is considered to be, by the management there, necessary. So, on balance, they are of the opinion that because Waimano Home is financed primarily 100% by state funding, not federal funding, but state funding, we should perhaps get out of the medicaid program.

"Coming down further on page 6, the Standing Committee Report reads as follows: 'Your committee recommends that the Department of Hawaiian Home Lands carefully and expeditiously review its fiscal plans during the interim and submit to the Legislature a cohesive and applicable budget document next session. It is the intent of the committee that a financial and management audit be performed and efforts be made to computerize its budget and finance accounts.' Which is to say, perhaps that a wholesale examination and development of perhaps a more efficient plan and a more efficient monitoring of some of their programs is in order. This, I think, requires us to, perhaps, take into account some of the concerns expressed the other night by the chairman of the subject matter committee, Senator Fernandes Salling, in her concern about some of the funding on the CIP programs for the Hawaiian Homes Commission.

"Going to the next page of the Ways and Means Committee report, I find that funding for the Hawaiian Studies Program is going to be expanded. Expansion funds for this particular program, at a time when we're cutting drastically the DOE budget in the basic curriculum program areas, again points out some of the inconsistencies, to me. Perhaps the Hawaiian Studies Program should not be expanded. The current level of funding should be maintained; but whatever expansion money is seen here could perhaps be put into areas we have reduced in the way of general curriculum. We have also disregarded the Department of Education's recommendation that we perhaps look into, by funding modestly, the use of computers in education. Again, our Ways and Means Committee report eliminates this provision.

"Coming to Parts A and B, Part A of course, represents what we consider to be that category of funding absolutely necessary to maintain a minimum service to the people. I find that in Part A are some grants-in-aid that perhaps are worthy of examination. Let me point out one, for example. Under the grants-in-aid for the Salvation Army, I find a whole spectrum of 'human services' programs. Let me give you some of the figures here: Kula Kokua, \$52,134; Malama Makua, \$69,882; Pohaipono, you will of course notice very exotic names for these programs, Pohaipono, \$104,000; the Salvation Army Addiction/Treatment Drug Residential Facilities, \$66,000; a program for short-term alcoholism, \$103,000; a program called 'Social Detoxification,' whatever that is, \$27,000; for a total of \$572,861. Added to that are federal funds that are received and applied, another \$242,000, roughly a program funding of about \$810,000. Perhaps the Ways and Means Committee or the Conference Committee should examine that a little more closely. Perhaps some of these items could be cut down.

"I also find in Part A, not B, mind you, Part A, a funding again for the Friends of the Waipahu Cultural Garden Park, for \$50,000. Now, I don't know that this is imperative.

"The Honolulu Theater for Youth, this would probably bring down the wrath of Senator Abercrombie down my neck, \$146,000.

"We have the Ethnic Studies Oral History Project Program that's been going on now for a decade, as I recall, \$110,000. It seems to me that that program should have been terminated some time ago.

"Habilitat -- as I recall, they testified before the Health Committee and the director magnanimously stated at the end of his testimony, as a reaction to some question, I suppose, that he didn't need any state funding any more...the hell with you people, we're going to manage on our own. And I know that the Health Committee took him on his word and eliminated a \$28,000 funding for Habilitat, which strangely enough is again appearing in the budget here. That's another item where we could have saved money. And it goes on.

"Now, in Part B, as I said which is predicated upon the possibility that the House is going to pass the sales tax that many of us here oppose to,

Part B, which does not assure funding has some very important items of ongoing programs run very efficiently in human services. Let me point out a few. The Hawaii Association for Retarded Citizens, a \$289,000 funding; the Lanakila Rehabilitation Program, \$159,000; Opportunities for the Retarded, \$80,000; again in Part B is a funding to maintain the staffs of programs in a way of consumer programs under the Department of Commerce and Consumer Affairs. These programs do not tap our general funding because they come out of fees, special funds, as Chairman Cobb would tell you. It seems imperative to me that they be included in the budget. It was left out and put into Part B. I pointed out that the Crime Commission bill has passed the Senate; and it's passed the House, but we've provided no funding for it, however, it is not in Part A, it's funded in Part B.

"Now, just in the event that the House does not accept our recommendations, for passage of the sales tax, then there is a great possibility that a lot of these very important programs are not going to be funded. On the other hand, in Part B, we threw practically everything that was not quite acceptable to us -- some programs of dubious necessity, what I call a whole category of 'opala' programs in Part B.

"These are the items that I am deeply concerned about. Hopefully, all of this could be straightened in the Budget Conference Committee and with this admonition, I will vote for this budget bill because I think we can clear some of these areas out."

Senator Soares then rose and stated:

"Mr. President, the state budget here before us today is the result of many hours of painstaking effort. It is clearly an attempt to reconcile last-minute changes in the state's revenue picture with concerns about the quality and level of government services.

"Mr. President, this budget's proposed revenues were increased based on no more than wishful thinking about a tax dispute between the state and five liquor distributors. Although the state received \$25 million of this disputed money when McKesson decided not to pursue their appeal; we are still gambling with the financial integrity of this state. Frankly, Mr. President, who's to say

when the Supreme Court will decide whether or not to hear the case? And if they do decide to hear it, how many months will it be before it appears on their calendar? And how many months or years after that before they reach a decision?

"Mr. President, I say that we are counting our chickens before they are hatched. It's an irresponsible way to go about balancing the budget for the entire State of Hawaii.

"I have concerns too, Mr. President, about the budget's proposed expenditures. For the next fiscal biennium, expenditures are divided into two categories: the ones with a high priority, or the 'must haves,' and those with a low priority, or the 'can do withouts.'

"Mr. President, I'm appalled at what this budget suggests we can do without. Can we really do without \$1.3 million in promotion for the Hawaii Visitor's Bureau or \$200,000 in emergency funds to revive Kauai's tourist industry?

"I can remember at the hearing on tourism, where the chairman and myself heard from the Mayor of Kauai, Mayor Kunimura. He expressed despair at the sights on Kauai: the lack of employment when the hotel rooms were destroyed and the physical plants were torn apart. He told us in our hearing that afternoon that tourism on Kauai was his No. 1 priority.

"These aren't giveaway programs. These are programs which generate needed revenues for our state. We know, for example, that for every dollar we spend to promote tourism in our state, each tourist pays over \$150 in state taxes. I suggest that we're cutting our own throats when we relegate these vital and cost-effective programs to Part B, or second place, in our budget deliberations.

"I'm also aware, Mr. President, that there was passed out of this body, as previously spoken of, a proposal to raise the general excise tax from 4% to 4½%, and I'm aware that it's been suggested that these additional revenues might be used to pay for some of these programs in the lower part of the budget.

"Mr. President, I voted against that tax bill just two weeks ago along with ten other Senators because I believe that Hawaii's economy needs tax relief, not tax increases. Increasing the general excise tax is not in the

best interests of the people of this state. It just reinforces the perception of Hawaii as anti-business; it adds to the costs of doing business in our state; it affects the prices in the marketplace; and it will echo throughout the country that we are once again adding to the tax burdens that businesses and residents alike have got to bear in this state.

"Mr. President, to me, a major state tax increase like this is just a signal of fiscal desperation. We're not balancing the budget, we're juggling numbers. And we're lying to ourselves if we believe that this is the best thing for our state and for our people.

"Mr. President, I'm voting 'no' on the budget, and I urge all of my colleagues to do likewise.

"Thank you."

At this time, Senator Henderson rose and queried:

"Mr. President, will the chairman of Ways and Means respond to a question?"

Senator Yamasaki having answered in the affirmative, Senator Henderson then continued:

"How does this budget accommodate the financial plan of the state?"

Senator Yamasaki replied:

"As far as the financial plan is concerned, we have the Administration's plan of expenditures and the revenue sources expected to be received. And, it is also contingent upon any other sources of revenue, including Senate Bill No. 1464, if the Legislature intends to raise any revenues."

Senator Henderson then continued:

"Mr. President, does the financial plan that has been explained to us here, include an award or settlement with the HGEA, the HSTA or the UPW? Is this incorporated into the budget?"

Senator Yamasaki, having answered in the negative, Senator Henderson continued:

"Thank you. Mr. President, my understanding is that the Administration has proposed a 4% settlement. Let me ask this question, then, to the chairman. A 4% settlement, as I understand it, would represent about

\$72 million in the biennium. Would that be fitted into this financial plan?"

Senator Yamasaki replied:

"That subject matter has not come before the Ways and Means Committee so I would not be able to answer you on this point."

Senator Henderson then replied:

"The question, I think, is...."

Senator Yamasaki then interjected:

"I think the question is premature, because the subject matter is under negotiation at this time. The Administration has offered no increase for the first year and 2.8% for the second year."

Senator Henderson then replied:

"Mr. President, I think that proposal was made to the University. I think that there was a proposal made to the other party of 4% across-the-board increase."

Senator Yamasaki then stated:

"I have no knowledge of that, Mr. President."

Senator Henderson then stated:

"Would the Chairman of Ways and Means, Mr. President, indicate what he would think a 4% across-the-board increase for two years would represent in dollars?"

Senator Yamasaki then replied:

"We have no figures at this point on collective bargaining and I believe that subject would be before us during the next session, if and when the collective bargaining negotiations are consummated."

Senator Henderson then stated:

"Mr. President, I appreciate the response, but I think we're here to consider a budget that has to take into consideration these problems, and my understanding is that one percent increase in collective bargaining represents some \$6 million, so a 4% represents \$24 million and if you do that for two years, you've got 24 and 24 and 24 and you've got like \$72 million and I want to know how you can fit that into the budget; or if you're not going to have an increase, then how do we accommodate that?"

"I just think that we have to look at these budget figures realistically, and we have to make some hard decisions, Mr. President. Neither the Senate...the way we've structured the budget with A and B..., nor the House in their hopeful prediction that things are going to get better have done that, and I really feel, Mr. President, that we're really not addressing the problem here; that neither the Ways and Means Committee, nor the House Finance Committee has really addressed the problems that are facing this state."

"We can sit here, smugly and say, 'these are the things we're going to do; we're going to send over a fictitious tax increase bill that ties everything into it. But, Mr. President, that's not the real world. We all know right in this room, sitting in this Senate, that there's no way the House is going to pass that increase of 4% to 4.5%. There's absolutely no way that's going to happen; and to structure our budget on a Part A and Part B, without making the hard decision, Mr. President, the hard decisions we need to make in this body to arrive at a sound budget for the state is irresponsible."

"You know, Mr. President, I've served in this body since 1970, on and off, and I think that I have some insight into what we're doing here and I just have to feel that we're not on the right track -- neither the House nor the Senate! I think what we've seen that's happened here in the last couple of days, and we might not like it, but it's a kind of feeling of frustration and a lack of direction...and I cannot express it more thoroughly than that we need to really take a hard look at the financial situation of the State of Hawaii!"

"We are in big trouble! We need to readdress our problems, and we haven't done it! And you know why we don't do it? Because that's a real, hard, cruel world. We have to really take a second thought of what we're doing here and address our problems and live up to our responsibilities to the people of the State of Hawaii."

"Thank you very much."

The motion was put by the Chair and carried and Stand. Com. Rep. No. 824 was adopted, and Roll Call vote having been requested, H.B. No. 1, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," having been

read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (George, Henderson, A. Kobayashi and Soares).

ADJOURNMENT

At 12:35 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, April 6, 1933.

FORTY-EIGHTH DAY

Wednesday, April 6, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Chaplain Donald C. Ofsdahl, Command Chaplain, Pacific Air Force, after which the Roll was called showing all Senators present with the exception of Senator Ajifu who was excused.

The Chair announced that he had read and approved the Journal of the Forty-Sixth and Forty-Seventh Days.

The following introductions were then made to the members of the Senate:

Senator Holt, on behalf of the Senate, introduced 25 fifth and sixth grade students of Kamehameha Schools and their teacher, Mr. Keith Akana.

Senator Chang then introduced, on behalf of the Senate, Sister Maureen Keleher, Regional Administrator, Sisters of St. Francis, and Sister Mary Laura Abat and stated:

"Mr. President, may I ask our guests to rise and be recognized.

"Mr. President, we have invited the Sisters here this morning to receive from the Senate our Certificate of Recognition and our sincerest commendation and appreciation to the Sisters of St. Francis for their 100 years of sacrifice, dedication, commitment and service in providing health care and education for the people of Hawaii.

"In acknowledgment and recognition of the work of the Sisters and of their continuing efforts, we offer our best wishes on this centenary year of the Sisters of St. Francis in Hawaii.

"I would like to request a short recess so that we can present our tokens of friendship and aloha and the certificates."

Senator Carpenter then added: "Mr. President, I just want to convey to Sister Maureen that even though on several occasions that I know of, and I'm not sure how many I don't know of, she invoked the words or, perhaps, the wrath of Pope Paul VII on me, I want to assure her that I am in full support of the presentation of

this certificate today."

Sister Maureen and Sister Mary Laura were presented with leis by Senators Cobb and Kuroda and Senator Chang presented the Senate certificates.

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:01 o'clock p.m.

At this time, Senator Abercrombie rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, last evening, I had occasion to tune in a television set and the story on the news often was that there would be changes made in the Senate today with respect to chairmanships of committees. I thought that was rather unfortunate, to the extent that that was a true statement, to have it come over the television station.

"My point is that I had wished that I had had that information myself a bit earlier. I presume that the television people did not present it lightly and had good reason to do so. Therefore, my point is that I'm afraid this kind of communication is all too indicative of the kind of situation that has prevailed to bring us to this point today.

"Mr. President, I did not come in to this Legislature to get taken care of. I came in to try and do a job for people to bring a certain attitude toward government. I think that that attitude was best embodied in recent times; that is to say, since I entered the Senate, in the speech you gave on opening day in 1979, entitled 'The New Politics' in which you said, 'What does this new politics mean? It means that the Senate will be a more open body, a body in which all the members will have full opportunity to participate in the decision-making process.'

"You went on to state: 'I believe that by encouraging broader and more varied input by all Senators, better legislation will ultimately emerge ... We want the Senate to be a people's

forum where all citizens may be heard.'

"You also indicated: 'A number of members of the Senate are known to be independent legislators, uncommitted to any special interest and dedicated to legislative reforms. These are strong proponents of the new politics. I look forward to them bringing fresh, objective viewpoints to our deliberations. I deeply appreciate their expressions of faith and confidence in me.'

"You went on to state: '... the need to improve our educational system in order that our children may be better prepared to function effectively in our modern society.'

"It's been my pleasure in the previous four years, Mr. President, to serve as your Higher Education chairman and your Education chairman, and to hold the latter position again this year until today.

"I was pleased when you thought to, in 1979, emphasize the education system as a whole, as something in need of strong leadership. I think that I have helped to provide that in this body.

"One of the conclusions you preached to us was as follows: 'The need to redefine and realign executive-legislative relations, particularly with respect to the administration of State programs and the allocation of funds, in order that legislative intent -- the basic policy direction of the State -- is followed to the fullest extent possible.'

"Mr. President, I think those were good words in 1979. I think they apply today. I would like to think that I'm continuing in that vein until this moment and will continue to do so afterwards.

"It has been my privilege to serve as the chair of these committees. Most certainly, it has been my privilege, my honor and obligation to serve in those capacities with respect to the statement of legislative intent with respect to making sure that the Legislature provided a check and balance in our system; where we would not find the situation where power interests or special lobbies would have any more of an effect on the legislative process than that which we require of ourselves, in terms of the merits of the issues; where we would be, in fact, the lobbyist for the people. That's what we were elected to do.

"In particular, I've had a responsibility in the last two years and until today for the children in our state. I want to assure whoever will follow me as chairman of the Education Committee that my primary concern, my foremost commitment is to the children of this state and that, therefore, whoever is chairing the committee will have my full and complete cooperation in accomplishing the business necessary in this Senate in order to see to it that those children receive the fullest benefit possible to them in terms of their education.

"However, Mr. President, I think that it's necessary to state as well, that this is not a situation which is individualized. When you chair a committee, you not only have a responsibility to your committee members, but you most certainly are reliant upon a staff.

"I have had the privilege of having with me this year, in particular, a staff which I rate second to none, not only in this Legislature this year, but in any Legislature in any year.

"You are well aware, Mr. President, that I was fortunate enough, and the House and Senate were fortunate enough, to have in its ranks of employees a gentleman not with me this year who is in law school and doing very well, I'm happy to say, but who was with me for so many years and so closely associated with me, and I counted upon him so much that when I was faced this year with having to reassemble a staff for the Education Committee, I viewed the circumstances with some trepidation.

"Mr. President, regardless of what happens today, I commend to you the work of this staff of people who have done such outstanding job in coordinating and collating the work of the Education Committee and I commend to your attention their work, and I hope that that work will not be in vain and that the resources of this staff will be utilized in the remaining days of the Legislature so that all may benefit.

"As for me, Mr. President, I was elected to this Legislature in 1974, not by making promises to people about what I would give them for a district. It's easy to be for better schools, for example, and for lower taxes. It's easy to make those statements. It's quite another thing to put them into effect. For myself, I felt that it was important to be a watchdog of the legislative process.

I still feel that today.

"So, if the decision is made that my services will not be required as the Education chairman, I must say, in some respects, I feel ... and I think it's important to say that it's not a personal thing, I don't feel that I have lost anything ... I feel that it's unfortunate that such meager talents that I may possess will not be put to use in that capacity. But, nonetheless, it is even more important that the legislative process be protected; that the independence of the Legislature be promulgated; that we have a watchdog idea of ourselves as legislators so that we do not slip into the orbit of those who would influence us beyond that which is our fundamental duty to protect the interest of all the people of this state.

"So, Mr. President, I close by indicating that as far as I'm concerned in this situation, if I thought that I solely was the cause of this situation, I not only will accept the responsibility that I do now and I do accept that responsibility, but I indicate to you, Mr. President, that I voted for you as President and if the situation ends as indicated in the media today, I think you too must share with us the responsibility for what has taken place.

"My fidelity, Mr. President, to you with respect to the words that you uttered in 1979 is the same today as it was then, regardless of what anyone says, regardless of what any thoughts there may be to the contrary, I stand here before you and to say this to you not only publicly but in any other form or circumstance, my fidelity remains the same to open government, to full participation, and will continue to be that way.

"I think it is unfortunate that things have come to this pass. I have to take responsibility for it. You have to take responsibility for it.

"I say to the rest of my colleagues here on the floor, to any degree that I may have aggrieved anyone here and did not know it, I take responsibility for that because perhaps I should have been more sensitive to it.

"I also indicate that to that same degree that I am able to understand or know that such a thing is taking place, I would try to alleviate those circumstances. And, I think, Mr. President, that your responsibility at

this stage will be to try and deal with the circumstances the same way.

"There is business to be done. I'm ready to do it. I extend my hand of friendship and extend the hand as a legislator to all my colleagues here to accomplish exactly that. Thank you, Mr. President."

The Chair, in response, stated:

"In brief response, Senator Abercrombie, the Chair appreciates your magnanimous gesture of assistance for the future of education in Hawaii, an area of which you are knowledgeable. The Chair appreciates your support.

"Under the circumstances today, which is regrettable, the Chair wishes to acknowledge your continued support for better education for Hawaii."

Senator Carpenter then rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President and members of this body, it's been said in some small circles lately 'the road to Siberia is paved with good intentions.'

"Mr. President, notwithstanding our personal and political differences and styles of leadership for the state Senate, now spanning some five sessions, and in full respect of majority rule in our form of government, I wish to indicate to you and to all the members of this body, that I, as the outgoing Judiciary Committee chairman, and my staff stand ready to convey the important work of this committee to the incoming chairman.

"We intend to do it, Mr. President, in an efficient, expeditious and professional manner as befits the work of the Senate in order to effect a smooth transition.

"Mr. President, when I took on the challenge of the chairmanship of the Judiciary Committee some three sessions ago, I believe, I cited Admiral Farragut's statement at the American Civil War Battle of Mobil Bay, and I said, and I'm quoting him, 'Damn the torpedoes, full speed ahead!'

"I accepted that challenge and pursued it diligently. Mr. President, you may recall that those torpedoes

came from within this body as well as from the outside.

"The forces of division, Mr. President, are still at work and they are really, after all, part and parcel of this political process. But, what really brings us to this temporary division is really not the interpersonal differences we have ... those are really constants that we live with during our terms of office.

"Let's look at the chronology of recent events. Every subject matter committee, Mr. President, worked diligently to get their budgets within the Senate's initial guidelines that was the current year's budget plus seven percent. This is assumably based on anticipated revenues that the state could reasonably collect.

"It wasn't easy, but priorities were indeed established and funding assigned within those limits. The results were basically no program expansion and, in short, no innovation ... holding the line at the current level of expenditures and even cutting, where necessary.

"Then, we received an expanded budget, the budget bill from the House requiring unaffordable expenditures; and then we barely sent a tax bill to the House to show that this Legislature would have to pass a tax increase in order to fund it; and now we've positioned the 'Senate version' of that House bill with everything in it on the condition that the tax increase is passed.

"Mr. President, the vote yesterday to get the bill out to the House is really not the Senate position, it's the 'Dickie Wong position' for whatever reason. We've not been informed of that whatever reason.

"In short, Mr. President, both the Senate and House have essentially overloaded the budget and we're both acting somewhat less than responsible unless we take one of two tasks. One, either we stand by the original cuts which are indeed within the state's means, or we strongly support the tax increase to pay for everything, but not both.

"We either take a responsible position of the conservative body or we abrogate our responsibilities and leave the decision to the executive, once again.

"Mr. President, if this action today results in a responsible and firm Senate position, which is indeed the

Senate position, then we would have served the purpose of bringing about that resolve and we would have carried out our responsibilities to the people of the state who elected us to serve them.

"Thank you very much."

Senator Cayetano also rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, there will be a strong temptation to view what has happened the past week and what will happen here this morning in the narrowest of terms. The easiest way to explain what has happened would be to say that a minority of malcontents was trying to get its way in the Senate. If that is true, then the actions you and others will take here this morning may settle that issue once and for all.

"It is, of course, Mr. President, not true. Look at the persons who are involved. Of the six so-called dissidents, four helped make you President and stood by you and defended you from your election as President in 1979 to the present. One, the former vice-president of the Senate, has stood by you for far more years than that.

"What is happening here and the main reason that you are parting with some of your most loyal supporters over the years is that we have come to the conclusion that you have not lived up to the promise you made when you solicited our support for the presidency of the Senate.

"Mr. President, you have forgotten the fundamentals and principles you fought hard for as a dissident in the House of Representatives. The Senate, under your leadership in the past five years, has deteriorated to an aimless and rudderless ship which will run aground in the very near future.

"Mr. President, I did not know you ten years ago, but I had heard of your efforts as a dissident in the House through media reports, and the few times that I watched you in action, as a spectator in the House gallery, I admired you.

"Remember the issues, then? Openness in government. Campaign reform. A systematic approach to budgeting. And the main issue,

prior concurrence.

"I admired Dickie Wong then, the leader of eight dissident Democrats in the House. Then, you showed conviction and courage, you showed independence, and although it was not easy for you to fight people considered your friends, it appeared you did not hesitate to do so when the public interest required it. As a result of your actions as a House dissident, and let me say that I believe that you brought a certain respectability to the word, there were major reforms in the House, especially with respect to the establishment of the concept of prior concurrence.

"With this background of you, Mr. President, when I was privileged to become a member of this Senate in 1978, I did not hesitate to support you for President because I believed in your new politics. I also believed that you'd be a better Senate President because, as you made certain to point out to us, your predecessor had neglected his job as Senate president. Remember what you told us about how the man never paid attention to what was going on here... how he spent too much time on the golf course, too much time on non-Senate business, and how you were going to change all of that and take us with you on this new course you called the 'new politics'? I remember, and I will never forget it!

"And so, I find it ironic that after ten years after you made your mark as a dissident in the House, some of your most loyal supporters are challenging you, knowing full well what the risks were in taking such actions.

"Have we come full circle? Is 1979, Mr. President, so long ago that you have forgotten what you promised when you assumed the Senate presidency?

"Let me quote from the Senate Journal. You said then, 'A new politics ... What does this new politics mean? It means that the Senate will be a more open body, a body in which all the members will have full opportunity to participate in the decision-making process. I fully expect lively discussion and debate on many issues that will arise during the coming session. I welcome this. I believe that by encouraging broader and more varied input by all Senators, better legislation will ultimately emerge. After all, it is on the merits of the legislation which is finally passed that the Legislature is

judged. This is our "bottom line."

"You went on to say, 'A number of the members of the Senate are known to be independent legislators, uncommitted to any special interest and dedicated to legislative reforms. These are the strong proponents of the new politics. I look forward to them bringing fresh, objective viewpoints to our deliberations.'

"Mr. President, I no longer see the spirit of the new politics you talked about. I now believe you have tired of it. Instead of encouraging debate and discussion, you have willfully suppressed it. Communication among Senators on issues and bills are virtually nonexistent. We have strayed from what you told us you believed in in 1979.

"More and more, for example, we have been failing to approve bills on their merits. More and more too many Senators indulge in the passage of legislation which is designed to help special interest groups, without taking into account the bottom line -- whether the public will benefit by such action. There has been a lot of gamesmanship on bills and, at a later time, I will provide examples of what I'm talking about.

"I suppose all of us must take some blame for the shambles the Senate is now in but you, Mr. President, must shoulder some of it. The six Democrats who are termed dissidents saw a problem and tried to do something about it because when we tried to bring it to your attention, you did nothing. Four of the six have talked to you about such problems in every year you served as President, and you did nothing.

"It seems to me that you quickly forgot the lessons you learned as a dissident in the House. And let me remind you of the words of the great philosopher Santayana, who once said, 'Those who cannot remember the past are condemned to repeat it.'

"When I supported you for President in 1979, I thought you would add something to this body. It is now apparent to me that you're more occupied with the thought of remaining Senate president than the manner in which you preside as the number one man in this body. Believe me, Mr. President, and I mean this sincerely, I'm truly sorry to see this happen. It is both unfortunate and sad.

"I leave with this final point, Mr.

President. The six Democrat dissidents never left you, you are leaving us. I welcome this parting.

"To the many new freshmen, I'm sorry we have not had the time to really get to know each other. I will be here for three more years and, hopefully, in that time we will be able to know more about each other, but let me leave you, you freshmen, this thought: The bottom line in what we do here is the public's welfare. As long as your actions benefit the public, I will do anything I can to help and assist you. It will be irresponsible and a dereliction of my duty to do otherwise.

"To Senator Aki, my successor, I offer my full assistance in making the transition easy for you. Jimmie, the Economic Development Committee is the equivalent of five House committees. The subject matter, especially in the public utilities area, is complicated. Whatever happens here, Jimmie, don't be reluctant to ask me for help.

"Finally, let me say, the news media has described me as the so-called leader of the dissidents. Mr. President, you know the nature of the beast. There are no leaders in the dissidents; they're all independent and hard-working people.

"One of the pluses in what's going to happen for the Senate is that probably the Senate's electricity bill will go down because the six offices that we occupy burn the lights here the latest.

"One final note in closing, a personal note, if I may.

"In 1978, a young man ran for the Senate; he was the underdog; three of us, three of the six, thought that he would be a welcome addition to this Senate. He had had some training as a staff member of a liberal, progressive Representative in the House; he served as a staff member when you were there as the leader of the dissident faction in the House, Mr. President. And so, three Senators, when he ran in 1978 and when he was an underdog, three Senators, Senators Abercrombie, Toguchi and myself, helped him. We stuffed envelopes; we raised money; we held signs. I want to say to that Senator, 'Chip, we won't be there when you run again in 1984. I wish you the best. I'm confident, however, that the people of your district will see that you get everything that's coming to you.'

"Thank you."

Senator Toguchi also rose on a point of privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, after six years in the House, I was elected to the Senate this past November. It was with great anticipation, with great joy that I came to the Senate knowing that I will be joining Dickie Wong and his new politics.

"Just for a minute, I'd like to go back to the House and read to you something that was said by a Senator who really moved me on the floor that day.

"We were a group of House members who were challenging the Speaker of the House, at that time, Mr. Wakatsuki, and the present Speaker of the House. We were very concerned about not only the results but the process, the opportunity of debate, the opportunity to express our thoughts, even if we were a minority of one or whatever. And I'd like to read to you some of the things that convinced me that I was doing the right thing at that time and is also convincing me today, as I stand here, that I am doing the right thing.

"I quote, 'Mr. Speaker, the freedom to raise questions or to disagree is the very foundation that our government is based on because through these discussions and questions and disagreements we may, in the end, have good government, a better state, and a better Hawaii.'

"That statement was made by Senator Uwaine, who, it is my understanding, is one of the strongest proponents of the proposal that was discussed on a television news last night.

"I'd like to further quote the Senator: 'It is my belief that our basic duty here, as elected Representatives of the people, is to do what we perceive to be in the best interest of the electorate. It is a difficult duty which carries great responsibility.'

"I further quote: 'It is our duty to sincerely strive toward and pursue our point of view, our assessment of what we believe to be good for the State of Hawaii. It is a wiser responsibility to do this because each member is equal in the exercise of

legislative power. No matter the margin of wealth, intelligence, age or experience, we are all equal in the conduct of business here, and should have equal access to and input toward the exercise of power.'

"He further says, 'A group of Democrats have often disagreed with you and members of the majority caucus this past session. As equal members of this House, we have simply pursued what we believe to be right and best for those who elected us. We intend to continue to do this. Oftentimes,' he says, 'I and other members have disagreed with you and our position does not prevail against the majority. I would simply like to remind you that the majority position is not always correct, that efficiency in House operation should not necessarily be an absolute goal, and that, although our democracy is based on majority rule certain guarantees have been established in our Constitution for the protection of the minority from an over-zealous majority.'

"Furthermore,' he says, 'you know and I know that Hawaii's political structure is in transition. It has been 25 years since the Democrats have become the majority party of the House. However, it is a mistake to think that all Democrats are alike. There is a new force in Democratic politics. It may not be fully represented yet in our caucus, but it is present; it is real. I believe that this new force will grow in the years to come and will be represented here on this floor. We're nothing more than a reflection of the new hopes, the new aspirations of the people of this state.'

"Therefore,' he says, 'Mr. Speaker, we intend to continue to do what we believe -- to do right and just -- because we believe that a person's efforts are measured not only by what has been accomplished, but more importantly what he has tried to achieve.'

"And this last paragraph, 'It may be easier and simpler to just go along with the majority on important issues, rather than express a dissenting but equally valid, sincere point of view; however, I believe we're all elected to make difficult decisions involving issues which reasonable men may disagree on. We have a commitment to our constituents to do our best as their Representatives and this is what I intend to do.'

"Mr. President, these words have

remained with me and it will continue to remain with me.

"Let me just get off these statements for a few minutes.

"I also want to make a point here that Senator Cayetano is not my leader, you are. All these past few months in the turmoil that this Senate has been going through, Senator Cayetano has not been my leader. We have fought on some bills; I've disagreed with him but we have been together on other issues that we agreed on and this is the way I will continue my relationship with Senator Cayetano or any of you here on this floor.

"I also would like to clear up a misunderstanding which I read about all the time. I had no 'beef' about the budget. I think we did a decent job with the agriculture budget. Much of my recommendations were incorporated to the budget. I think, Mr. President, you know very well what I'm talking about, and yesterday, you also indicated to me, 'Charlie, I understand where you are coming from.'

"Mr. President, as I pointed out earlier, I will continue to do my best here to serve my constituents and the people of this state. At this point, I don't really care what happens later. You can take the chairmanship, you can take the titles, you can take everything, and I will not feel sad or depressed. But, Mr. President, if the Senate continues to operate the way it has been operating for the past three months that I have been here, and according to the others, the past five years, then to me, it will be a sad day for all of us, everybody who is looking to us for some leadership.

"Mr. President, in closing, again, I also will be very cooperative. I will also do whatever I can to assist the Agriculture Committee chairman, whomever he may be.

"I have also built up a lot of background in the area of education and I will continue to see that education moves forward in Hawaii, and you have my fullest cooperation because, I'm here not to do my business or your business, I'm here to do the business of the people of the State of Hawaii. Thank you."

Senator Kawasaki then rose on a point of personal privilege and stated:

"Mr. President, in anticipation of what is expected to take place today on this floor and in response to statements attributed to you, made to the media last night, may I enter into the record of the Senate Journal comments that I wish to make today.

"Mr. President, I regret to learn through the media and through the Capitol grapevine, so to speak, what is contemplated today. I think, if the action contemplated does take place today, it offers to the public positive proof of this body's sad and unfortunate deterioration into a petty political institution that withers under objective self-examination.

"It will also provide proof that the Senate cannot withstand valid criticisms of the violations of its own Senate Rules 16 and 17. Proof that it cannot tolerate opposition to an increase in the 4 percent sales tax desired by a bare majority of this body, notwithstanding the fact that it will add an imposition of added financial burden to the already overburdened shoulders of the taxpayers of this state. Proof that the 14-member majority cannot withstand legitimate criticisms of the budget document which eliminates the funding of important programs and projects on the one hand and, on the other hand, includes funding of programs of doubtful merit ... an indication, it seems to me, of less than diligent, thorough examination of a budget intended to serve the public needs; a budget costing in excess of 3 billion dollars.

"Mr. President, I cannot allow the temporary and fleeting expediency of the numbers game, 14 to be exact, of the moment, to obscure and vitiate my perception and perspective and, hopefully, the public perception and perspective of what this Senate should be. This Senate of which, as you well know, I have been very proud of in my 16 years of tenure here.

"I trust, Mr. President, that I can resist becoming a cynic; that I can remain a perennial optimist and know that some day again reason will prevail and good judgment will return.

"Mr. President, upon learning that three of our more diligent, capable, intelligent committee chairmen, generally known to do their homework, known to burn the midnight oil here, and known to come out with intelligent solutions of their recognition of the state's problems ...

when I learned that these three people were to be removed from their positions, as a result of their disagreement with the budget processes and belief that the Senate rules are to be honored, Senators Carpenter, Toguchi and I declared our support of the three committee chairmen who were to be compromised ... I informed you of my desire to no longer serve as vice-president of this body of which I've been so proud in the past.

"Mr. President, that was my decision, not one urged upon me by the three chairmen we're talking about today.

"I wish to express to you, Mr. President, personally, my appreciation of your support and the support of others in your 14-body group, urging me to remain in my position ... they did this in their own fashion.

"However, Mr. President, I must say that I cannot in good conscience assume any other posture than to fully, unequivocally support the posture taken by Senator Abercrombie, Senator Cayetano and Senator Fernandes Salling.

"I cannot treat my profound appreciation of the past contributions Senators Cayetano and Abercrombie have made to the people of this state ... the profound contributions, the effort on their behalf. I cannot suppress my appreciation of the diligence with which our freshman Senator from Kauai has tackled her job, being chairman over the operations of a chaotic department, the Department of Hawaiian Home Lands, trying to bring some semblance of order and logic into some of their operations.

"The decision I've made to support these people, Mr. President, as I said, is my own. One that I have made because this is the only right thing to do, and if I have to vacate my position as vice-president of this Senate, so be it.

"I, too, assure you, Mr. President, of my complete support of what is intended by you. Hopefully, what is intended is in the best interest, is intended with the highest of intelligence, the highest degree of integrity.

"I regret to see what is taking place today, Mr. President, and I assure you, my decision to support my five colleagues is my own."

Then, Senator Fernandes Salling rose to speak on a point of personal privilege and said:

"Mr. President, I rise to a point of personal privilege.

"Mr. President and fellow Senators, as a member of this distinguished body, it is my responsibility to serve the people of this state to the best of my ability. It is my duty to voice concerns which deeply affect the people I represent. It is my belief that this body be a people's forum. As a Senator from Kauai, I will continue to fight to serve the people of this state."

Senator Uwayne also rose on a point of personal privilege and in response to previous speakers' remarks, stated:

"Mr. President, I rise on a point of personal privilege.

"At the moment, I may ramble off and on as far as my speech is concerned. I really had not thought I was going to say anything this morning and I ask my colleagues to bear with me.

"I thank my good friend, Senator Toguchi, for reading the speech that I gave in the State House in 1979. I too believe in that same speech, then as I do today.

"But, Mr. President, there are certain things that have changed, as well as I have changed and some of my friends have changed. It hurts me deeply in the fact that today, eventually, there'll be some readjustments as far as committee chairmanships, and some of these people will be affected extremely.

"I have always felt then and I do now that these are my friends. These people who have helped me in my elections, both in the House as well as in the Senate. I have also helped them, as far as holding signs and stuffing envelopes and working toward their reelections and elections and I will continue to do so. I have no regrets on that.

"But, it hurts me deeply, Mr. President, when I talked to fellow Senators to express some of my concerns and how, together, we can try and change the Senate and try and make it a more open body as far as communications, and to alleviate any future problems, and to have this Senator talk to another Senator and somewhere between that communication

something is lost where the second Senator comes into my office and says, 'What is this I hear that you want to kick my ass?' It hurts me.

"The first thing I asked is, 'What exactly did I say?' I think I said, 'Yeh, that is what I said basically,' that if something like this happens, as far as reshuffling of memberships of Ways and Means, as well as trying to eliminate the chairman of Ways and Means, Senator Yamasaki, that the sword goes two ways ... that as well as somebody may try to get 13 votes to change the makeup of the budget or try to change the makeup of the composition of the membership of Ways and Means, or to try and change the chairman ... I think it goes two ways. And that's one of the things that we're gonna have to live with.

"It hurts me that when it comes to a point where, because of past friendships, that the canoe is leaving as was explained to me, that, if I wasn't on this canoe with them, then I would be out. I would be eliminated.

"Also, the fact of the underlining thought was that they were going to come after me during my election. I don't disagree if that is what they want to do. I can't stop them. But it hurts me that they threaten, after friendship and apparent half an hour of logic. Half an hour of logic, you know, doesn't get anywhere. Then it becomes a very threatening thing. I don't think anybody appreciates that, and I don't think that anybody here who's going to be supporting your decision in a later time today, as far as the reshuffling in the assignments, disagrees with basically lot of the things that were said this morning.

"I think we all agree that certain things are going to have to change, as far as communication, as far as trying to get the people's business done. But I strongly disagree with the fact that this is just a small minority group's decision as far as some of the changes that are going to have to be accomplished.. I think all of us are concerned about those things.

"I think, eventually, the end-product will show that we have done the people's business.

"What was interesting by the previous remark by the previous speaker, one of the things that was said to me during this trying to get me to jump on this canoe to go along with them was that, 'it's not Dickie

Wong; it's not Dickie Wong that we're upset about; he's still going to be president; we just want to eliminate Yamasaki as chairman of Ways and Means; we really want to change some of the membership of this Ways and Means Committee; these freshmen, they don't know what the hell they're doing; we have to get more experienced guys; we have to take care of some other concerns that we have,' excuse me, not other concerns, I shouldn't put words into other people's statements, but the fact that they ..."

Senator Abercrombie rose on a point of order and said: "Mr. President, I think that's a very good idea, not to put words in other people's mouths that he didn't say, especially when somebody is trying so desperately to defend himself."

The Chair interjected: "Senator Uwayne, will you continue."

Senator Uwayne then continued: "Thank you, Senator Abercrombie."

Senator Abercrombie again interrupted: "Your tone is really deteriorating. Try and tell the truth, Chip."

Senator Uwayne continued: "Mr. President, the point that I'm trying to make and I'm not defensive right now ... I'm trying to say certain things that were said and, apparently, if it goes back the same way, so be it."

"I'm glad it finally came out that this thing is to remove you as president because that's something I cannot support. And the cloud of dust, to hide behind the fact that it was Senator Yamasaki or the freshmen on the committee that needed to be changed, was just a camouflage. The real fact is that they wanted to reorganize this Senate and remove you as president. I think that's the bottom line."

Senator Soares also rose on a point of personal privilege and stated:

"Mr. President, sitting here this morning, we are observing the saddest day I've ever seen in my 17 years in public office."

"It's sad because we've heard and seen some very emotional positions taken here this morning. I must speak for the five Republicans sitting here because we've had the opportunity to work so closely with everyone here on this floor, to work

closely with you, Mr. President. For the last two years, in the coalition situation, we put forth our greatest efforts trying to provide the leadership the state requires of us, trying to display the abilities that we have here in the Senate.

"Mr. President, we would not want to see this day go by without asking you again, reconsider."

"There's always another ball game to play, one more opportunity for reconsideration, one more day to take back, if you will, the statements that may have been made under some stressful and very emotional conditions."

"Go into the caucus room, all 20 of you. Let the fur fly, if you will. Settle your differences. You're all honorable Senators. You're all capable people, wonderful people!"

"We've worked so closely with all of you, freshmen and veterans alike. Everybody on this floor wants to do a job the best way he or she knows how for their constituencies. That's the number one reason why we're here."

"The phone calls are going to be coming in and people on the street are going to say, not you Republicans or not you Democrats, but, 'Hey, what are you Senators doing up there; why are you doing this?'"

"Mr. President, we've had a great and fair relationship, you and I; we go back 17 years. You've been the fairest guy I've ever served with."

"I do believe that there's time. I do believe that many times we have said to ourselves that we want to make some changes for whatever reason."

"Your Republican Senators don't want to be linked to one side or the other on positions."

"We believe the timing is disastrous, only two and a half weeks to go until the end of session.. We've worked so hard, so long, to get this far. We've voiced our concerns over the budget; we voted against it and said why, raising our concerns objectively."

"I say to all of you, there's another day, another time. None of us are so infallible that we can't make mistakes"

"I really believe, Mr. President, from the bottom of my heart, that

we've gone so far, this is not the time for changes; get together, put the needs of our people first. Too many times we become so sensitive, too sensitive to what happens around here. We think the whole state feels like we do, and we're the actors in this play, not them. But as they view us, they wonder whether we're so concerned about one another we forget about them.

"Mr. President, from our standpoint, there's still time.

"There's still a great amount of work to be done by all of us, together.

"Let's be statesmen. Let's settle our differences. Bang it around, if you will, but come out 25 strong and let's do the job."

Senator Kawasaki then rose in response to a previous speaker's remarks and stated:

"Mr. President, I'd like to respond to statements made by the good Senator from Manoa and this is only because I feel compelled to correct statements erroneously, unfortunately, made by him which may very likely be indelibly printed in the Senate Journal that may be passed on to future generations.

"I want to assure Senator Uwaine here, it's unfortunate that I did not have a chance to have a dialogue with him regarding this controversy throughout the past week. I never had the chance to even talk about this with you, as you well know, but I want to assure you very sincerely that the bottom line of this controversy was not to remove my good friend, Senator Wong.

"As a matter of fact, I want to indicate to you that when I got a call last week, I believe it was Friday or Thursday night at about 11:00 o'clock that the five dissidents, as they are called, called me, wanting to speak to me because of their concern about some of the problems inherent in the budget formula that emanated from the Ways and Means Committee. I said okay and came down to the Capitol. They, at that time, described to me their wish to either make some alterations to the budget document so that the budget document going from the Senate to the budget conference committee between the House and the Senate is something that the Senate could be proud of. I felt that this was logical.

"Short of that, they felt that perhaps we can change the adamant position of the chairman of the Ways and Means Committee. Short of that, perhaps, a wholesale change in the Ways and Means Committee makeup as necessary here. And I agreed to that.

"Very emphatically, they had assured me that no attempt will be made to replace the President of the Senate because of their knowledge over the years of my very close friendship with Dickie Wong.

"I have, very flatteringly, been approached with the proposition of replacing him in the later discussions, if the votes were there. I have been offered flattering proposals in the past organizational attempts to replace him but my answer, without exception to these proposals, was that I have never in my life run against a close personal friend of mine. I will never do that and at age 62 you don't change an old dog ... they never learn new tricks.

"It was clearly understood by my group and they accepted it as such because I told them, if there is any attempt to remove the president against his wishes ... now, if he wants to vacate that position, that is fine, and I'm flattered, I would accept the position, but just as long as he is interested in maintaining that position, I will not be a candidate to depose him. They knew that very well and, I believe, Mr. President, you know that only too well.

"I do want to make this correction before it's entered into the Senate Journal, the bottom line was not to remove Dickie Wong, if he wanted to stay there. We just wanted to improve the budget document, and if we couldn't do it just by changing items, and it was not a monumental task to do this, and if the chairman of Ways and Means was adamant, the committee was adamant, then, perhaps, we should just change the makeup of the Ways and Means Committee.

"I want this fact to be entered into the pages of the Senate Journal."

Senator Cayetano then rose to respond to Senator Soares statement and said:

"Mr. President, I'd like to respond to Senator Soares' statement. Buddy, thank you, but I think it's a bit too late.

"That's the message we have been giving the President off and on for the last five years.

"Mr. President, let's get this thing over with."

Senator Cobb then rose on a point of personal privilege and stated:

"Mr. President, I'd like to rise to speak on a point of personal privilege.

"I guess, in passing, the events of the past week disclose a flaw in a bill, perhaps one of the bills relating to corporations where in the take-over bid disclosure section, we should have included take-over bid of legislative bodies.

"That was not done and discussions of the past week, as were some of the reports, have shown quite clearly that there was a take-over attempt, at least of the Ways and Means Committee, either the chairman or the vice-chairman or most, if not all, of the freshman members of the committee were to be changed.

"I feel that I can speak from the standpoint of maybe having a few seniority rights as a dissident myself.

"Going back to 1972 in the House when I was privileged to be supporting you at that time and we lost that organizational battle and I was one of those privileged to go down with you when the vote was 27-24 ... the vote at the beginning of the session and my first vote ever cast as a legislator was against the election of the Speaker of the House. Sixty days later the vote on the budget was precisely the same, 27-24. There was no change.

"It was not until the budget was, in fact, voted down because it lacked a two-thirds requirement for CIP funding that any significant changes occurred in the House.

"I remember so clearly at that time not only your floor speeches and your rag-tag army and your emerging coalition of eight Democrats and 16 Republicans, but the title that you held, 'Fearless Dissident Hippie Chinese Leader.' We still call you fearless leader today.

"But, I would like to outline a very clear difference in the dissidents of the House and the dissidents today. In the House we sought and finally achieved a sharing of power, a broadening of the decision-making

process from two major committees, to the chairman of both major and minor committees, and the passage of bills, including most specifically, Republican bills.

"In the Senate, what I have seen in the last week has amounted to a total take-over attempt, by individuals who were not shut out from passing bills, from serving as major chairmen, from having input in the process, from having real decision-making powers, who wanted to go for it all.

"I can understand some of the frustrations. I've encountered them myself. But I would like to point out, Mr. President, what while in the House, we were dissidents when a no vote on anything was considered an act of heresy. That is not the case in the Senate.

"I, among other Senators, have frequently voted no on bills. I even signed some committee reports coming out of my own committee, with reservations.

"I want to make the point crystal clear that anyone can and does vote no on any bill including the budget, and that even a filibuster or a process as was done Thursday night of amending a bill to death, is not what's causing today's action, even when that process denied the other Senators the right to vote on that issue.

"But, Mr. President, a raw take-over bid has been dealt with. The debate in the Senate has traditionally been unlimited. The most difficult thing to do is to ask another Senator to vote to shut off debate, and that is a rare motion; it requires a two-thirds vote and I think will only be considered, if we were up against a real legislative or constitutional deadline, in order to achieve the business of the people of this state.

"I'd like to point out, Mr. President, that when there is an attempt made to change a committee without the consent of the Senate President, that is the same thing as rendering the position, the power, and the office of the presidency powerless, or worthless. That you serve as president almost like a parliamentary system with the support of 13 or more at all times and that the power of that position is that if 13 or more ever become dissatisfied to the point of desiring a change, they are in this wonderful free country of ours free to make that change.

"I'm going to miss working with many of the people who are being changed today because I think they are some of the brightest, most talented members of the Senate. They are among the most hardworking in the Senate.

"I look forward to working with them in whatever capacity or role that I can, and I'd like to offer my services as a 'senior dissident.' But when a motion is made and if you need a little parliamentary help, in terms of getting it right, let me know.

"Thank you, Mr. President."

At this time, the Chair, in response to the previous speakers, stated as follows:

"Members of the Senate, the Chair would like to respond in total.

"First of all to acknowledge those Senators that spoke and to recognize their dissatisfaction with my performance. That is their right. That is their opinion but I think that's what they really meant.

"However, it's incumbent upon me to respond in a great deal more depth relative to how Dickie Wong runs this Senate.

"I try to run this Senate in a fair and open manner. I try to practice prior concurrence to the ultimate extent possible. Those of you who have served through the years with me, you know my style. And my style is very simple; that the power of the Senate should not be vested in the President of the Senate alone, it should be shared with the committee chairmen. Each individual who becomes a chairman has the responsibility, has the power, but also has got to be accountable.

"There are no long lines outside of my office to speak with me on the various issues that face the state. There are no long telephone list of people calling and haranguing. Everyone who seeks a particular objective here at the Legislature are quickly told, 'Have you spoken to the chairman of the committee?' That's my style.

"It's a simple style. It's not complicated.

"And for all the discussions this morning, I've heard not one word uttered outside of disappointment with my style of leadership, whether or

not Dickie Wong is a fair person. I know in my heart that that has been my trademark and my strength as a leader.

"I may not be the greatest innovator of programs and I may not be the greatest parliamentarian that ever lived but I try to be a fair and decent person.

"I respect the rights of others and I really and truly appreciate the comments that were made today; however, I must respond to a real situation.

"The anticipated action to be taken later is in response to an attempted take-over of the Ways and Means Committee by six very disgruntled Senators. I take these actions with some regret because I've counted the six among my strongest and most ardent supporters in the Senate. The six also include long-time personal friends of mine and I'm sorry to see us on opposing sides.

"Even though we are now adversaries, I tell my long-time friends that I hope we can remain friends.

"I was elected Senate president on the basis of an organization that was worked out and agreed by 20 Democrats. I have an obligation to protect the integrity of that plan which we designed, to distribute power and responsibility broadly among all Senators. I cannot and I will not tolerate any attempt by any Senator or group of Senators to grab power for themselves, or to dump other Senators from their positions. This is contrary to my whole legislative philosophy of how things should be done around this place.

"I want to make it very clear that these actions are strictly in response to the take-over attempt by six Democrats. It has nothing to do with their disagreement on the budget or with their attempts to filibuster last week. I have no problems with debate and disagreement on the issues. That is, to me, a very legitimate component of the legislative process.

"Throughout my legislative career, I have always advocated fair, open, and full discussion and participation by Senators and legislators.

"The basic issue, really, in this whole controversy has been the organizational integrity of this Senate. That's it, pure and simple."

Senator Cayetano, in response, stated: "Mr. President, in response to your remarks, let me say that I agree with you. I hope that by our remarks you understand how our actions came about. That is the message, I think, we're trying to get to you."

"What you are going to do is perfectly in order. There is no disagreement among the six of us. This is not kindergarten; this is the Senate. Do it!"

The Chair then remarked: "Members of the Senate, we will proceed with the agenda and at the end of the agenda, the Chair would like to make an announcement."

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 271 and 272) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 271) transmitting copies of a summary report prepared by the Department of Health, response to Act 214, Part IV(A), SLH, 1979, entitled: "A Demonstration Project in Orthomolecular Medicine at Hawaii State Hospital," February 25, 1983, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 272) transmitting copies of the Department of Social Services and Housing Annual Report for Fiscal Year 1982, in accordance with Section 346-5, Hawaii Revised Statutes, was referred to the Committee on Human Resources.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 317 to 412) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 317), returning Senate Bill No. 4, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on the calendar for further consideration on Thursday, April 7, 1983.

A communication from the House (Hse. Com. No. 318), returning Senate Bill No. 6, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on the calendar for further consideration on

Thursday, April 7, 1983.

A communication from the House (Hse. Com. No. 319), returning Senate Bill No. 30, S.D. 2, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on the calendar for further consideration on Thursday, April 7, 1983.

A communication from the House (Hse. Com. No. 320), returning Senate Bill No. 34, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on the calendar for further consideration on Thursday, April 7, 1983.

A communication from the House (Hse. Com. No. 321), returning Senate Bill No. 53, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on the calendar for further consideration on Thursday, April 7, 1983.

A communication from the House (Hse. Com. No. 322), returning Senate Bill No. 42, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on the calendar for further consideration on Thursday, April 7, 1983.

A communication from the House (Hse. Com. No. 323), returning Senate Bill No. 55, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on the calendar for further consideration on Thursday, April 7, 1983.

A communication from the House (Hse. Com. No. 324), returning Senate Bill No. 79, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1983, in an amended form, was placed on the calendar for further consideration on Thursday, April 7, 1983.

A communication from the House (Hse. Com. No. 325), returning Senate Bill No. 80, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on the calendar for further consideration on Thursday, April 7, 1983.

A communication from the House (Hse. Com. No. 326), returning Senate Bill No. 115, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on the

A communication from the House (Hse. Com. No. 406), returning Senate Bill No. 1247, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on the calendar for further consideration on Thursday, April 7, 1983.

A communication from the House (Hse. Com. No. 407), returning Senate Bill No. 1254, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on the calendar for further consideration on Thursday, April 7, 1983.

A communication from the House (Hse. Com. No. 408), returning Senate Bill No. 1279, S.D. 2, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on the calendar for further consideration on Thursday, April 7, 1983.

A communication from the House (Hse. Com. No. 409), returning Senate Bill No. 1288, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on the calendar for further consideration on Thursday, April 7, 1983.

A communication from the House (Hse. Com. No. 410), returning Senate Bill No. 1292, S.D. 2, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on the calendar for further consideration on Thursday, April 7, 1983.

A communication from the House (Hse. Com. No. 411), returning Senate Bill No. 1294, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on the calendar for further consideration on Thursday, April 7, 1983.

A communication from the House (Hse. Com. No. 412), returning Senate Bill No. 1338, S.D. 2, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on the calendar for further consideration on Thursday, April 7, 1983.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 857) informing the Senate that Senate Concurrent Resolution Nos. 60 to 63, Senate Resolution Nos. 74 to 79 and

Standing Committee Report Nos. 853 to 860 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 858) recommending that the Senate advise and consent to the nominations of John P. Spierling and George G. Costa, Jr., to the Hawaii Housing Authority, in accordance with Gov. Msg. No. 134.

By unanimous consent, action on Stand. Com. Rep. No. 858 and Gov. Msg. No. 134 was deferred until Thursday, April 7, 1983.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 859) recommending that the Senate advise and consent to the nominations of the following:

Thomas M. Itagaki to the Hawaii Community Development Authority, in accordance with Gov. Msg. No. 135;

William A. Knutson to the Hawaii Housing Authority, in accordance with Gov. Msg. No. 196; and

Eddy N. Nagao and Lito R. Alcantra to the Advisory Council for Housing and Construction Industry, in accordance with Gov. Msg. No. 240.

By unanimous consent, action on Stand. Com. Rep. No. 859 and Gov. Msg. Nos. 135, 196, and 240 was deferred until Thursday, April 7, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 860) recommending that the Senate advise and consent to the nominations of the following:

Jacqueline Parnell as Director of Environmental Quality Control, in accordance with Gov. Msg. No. 103;

Bert Akio Kobayashi and Irwin K. Kawano to the Aquatic Life and Wildlife Advisory Committee, City and County of Honolulu, in accordance with Gov. Msg. No. 104;

Bert H. Nagai to the Aquatic Life and Wildlife Advisory Committee, City and County of Honolulu, in accordance with Gov. Msg. No. 178;

James B. Watt to the Aquatic Life and Wildlife Advisory Committee, County of Hawaii, in accordance with Gov. Msg. No. 105;

George C. Wilkens and Eric M. Takata to the Aquatic Life and Wildlife Advisory Committee, County of Hawaii, in accordance with Gov. Msg. No. 179;

Sherman N. Thompson and Haruo Nakagawa to the Aquatic Life and Wildlife Advisory Committee, County of Maui, in accordance with Gov. Msg. No. 180;

John Brooks, II, to the Aquatic Life and Wildlife Advisory Committee, County of Maui, in accordance with Gov. Msg. No. 106;

Bob A. Hee and Michael V. Layosa, Sr., to the Aquatic Life and Wildlife Advisory Committee, County of Kauai, in accordance with Gov. Msg. No. 107;

Trinidad A. Raval to the Aquatic Life and Wildlife Advisory Committee, County of Kauai, in accordance with Gov. Msg. No. 181; and

Tonnie Laura Colleen Casey to the Animal Species Advisory Commission, in accordance with Gov. Msg. No. 177.

By unanimous consent, action on Stand. Com. Rep. No. 860 and Gov. Msg. Nos. 103, 104, 105, 106, 107, 177, 178, 179, 180, and 181 was deferred until Thursday, April 7, 1983.

ORDER OF THE DAY

MATTER DEFERRED FROM APRIL 4, 1983

Senate Bill No. 133, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 133, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION OF AQUATIC LIFE, WILDLIFE AND PLANTS," was deferred until Thursday, April 7, 1983.

ADVISE AND CONSENT

Standing Committee Report No. 852 (Gov. Msg. Nos. 100, 101, 102, 227, and 228):

Senator Cobb moved that Stand. Com. Rep. No. 852 be received and placed on file, seconded by Senator Chang and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Thelma Black, Edward Naihe, Sr., Elizabeth Plateau, and Candace K. Lee to the King Kamehameha Celebration Commission, terms to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ajifu).

Senator Cobb then moved that the Senate advise and consent to the nomination of Ann B. Simpson to the Board of Public Broadcasting, term to expire December 31, 1988, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ajifu).

Senator Cobb then moved that the Senate advise and consent to the nomination of Yukie Ueoka to the 1984 Hawaii Statehood Silver Jubilee Committee, term to expire June 30, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ajifu).

Senator Cobb then moved that the Senate advise and consent to the nominations to the King Kamehameha Celebration Commission of the following:

Edith L.P. Bandman, term to expire December 31, 1985; and

Tanya K. Shito, term to expire December 31, 1986,

seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ajifu).

Senator Cobb then moved that the

Senate advise and consent to the nominations to the Board of Public Broadcasting of the following:

Mary P. Steiner, Sharon Aoki, and Robert T. Yokoyama, terms to expire December 31, 1988; and

Willard Welsh, term to expire December 31, 1984,

seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ajifu).

Standing Committee Report No. 853 (Gov. Msg. Nos. 141 and 146):

Senator Carpenter moved that Stand. Com. Rep. No. 853 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Carpenter then moved that the Senate advise and consent to the nomination of Kayo Chung to the Hawaii Paroling Authority, term to expire December 31, 1986, seconded by Senator Cayetano

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Abercrombie and George). Excused, 1 (Ajifu).

Senator Carpenter then moved that the Senate advise and consent to the nomination of James A. King to the Commission to Promote Uniform Legislation, term to expire December 31, 1986, seconded by Senator Cayetano.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ajifu).

Standing Committee Report No. 854 (Gov. Msg. Nos. 246, 247, and 248):

Senator Carpenter moved that Stand. Com. Rep. No. 854 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Carpenter then moved that the Senate advise and consent to the nomination of Tany S. Hong as Attorney General, term to expire December 1, 1986, seconded by Senator Cayetano.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ajifu).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Cora Lum to the Hawaii Crime Commission, term to expire January 30, 1984, seconded by Senator Cayetano.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ajifu).

Senator Carpenter then moved that the Senate advise and consent to the nominations to the Commission on the Status of Women of the following:

Lois J. Evora, term to expire December 31, 1985; and

Blossom Y. Tyau, Teresa M. McGraw and Alice I. Yamanishi, terms to expire December 31, 1986,

seconded by Senator Cayetano.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ajifu).

Standing Committee Report No. 855 (Gov. Msg. Nos. 142, 143, 144, 145, 201, 202, and 203):

Senator Carpenter moved that Stand. Com. Rep. No. 855 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Carpenter then moved that the Senate advise and consent to the nomination of Boyd Mossman, to the Juvenile Justice Interagency Board, term to expire December 31, 1986, seconded by Senator Cayetano.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ajifu).

Senator Carpenter then moved that the Senate advise and consent to the nominations of Judy T. Makinodan and Ruth Fujimoto to the Commission on the Status of Women, terms to expire December 31, 1986, seconded by

Senator Cayetano.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ajifu).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Shota Sakai to the Board of Registration, Island of Oahu, term to expire December 31, 1986, seconded by Senator Cayetano.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ajifu).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Yuriko N. Tasaka to the Board of Registration, Kauai and Niihau, term to expire December 31, 1986, seconded by Senator Cayetano.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ajifu).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Gilbert Lee to the Criminal Injuries Compensation Commission, term to expire December 31, 1986, seconded by Senator Cayetano.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ajifu).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Charles M.L.S. Nakoa to the Juvenile Justice Interagency Board, term to expire December 31, 1986, seconded by Senator Cayetano.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ajifu).

Senator Carpenter then moved that the Senate advise and consent to the nomination of Sanford S. Sakumoto to the Board of Registration, Maui, Molokai, Lanai and Kahoolawe, term to

expire December 31, 1986, seconded by Senator Cayetano.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ajifu).

THIRD READING

House Bill No. 703, H.D. 1:

By unanimous consent, action on H.B. No. 703, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATE ENERGY," was deferred until Thursday, April 7, 1983.

At this time, the Chair asked the Clerk to note the presence of Senator Ajifu.

The Chair then made the following announcement:

"Members of the Senate, I would like to announce the following changes in the organization of the Senate. Effective immediately, the following Senators will assume the chairmanships of the following committees:

Committee on Agriculture - Senator Gerald T. Hagino.
 Committee on Economic Development - Senator James Aki.
 Committee on Education - Senator Malama Solomon.
 Committee on Hawaiian Programs - Senator Patsy Young.
 Committee on Judiciary - Senator Anthony K.U. Chang.

"It is my intent to nominate Senator Joseph T. Kuroda to the office of Vice-President of the Senate. Upon his election to that office, Senator Clifford Uwaine will succeed him as Majority Leader.

"Also, effective immediately, Senators Lehua Fernandes Salling, Senator Charles T. Toguchi, and Senator Benjamin Cayetano will vacate their present leadership positions.

"Senator Patsy K. Young will assume the position of Majority Policy Leader.

"My office has contacted Senator Cayetano to arrange for a meeting with the six to offer them alternate committee chairmanships. I was informed that they have declined to have any further discussions with me. However, the Chair would like to ask them to reconsider that position and

that the offer is still open and I hope they will accept.

"At the present time, I am reviewing the membership rosters of the various Senate standing committees. Possible adjustments will be made shortly."

Senator Abercrombie, in response to the Chair's remarks, stated:

"Mr. President, I appreciate that information, but are you prepared to comment at this time ... I would hope that the point that I registered about the valuable staff work that has been done here will be taken into account, with respect to your announcement."

The Chair replied: "It will be."

Senator Fernandes Salling then said: "Mr. President, as we are governed by the Rules of the Senate and in view of the action just taken,

I will be submitting to the Clerk the bills, resolutions, and Governor's messages for the Hawaiian Programs Committee. Thank you."

Senator Abercrombie added: "Mr. President, I should have stated that the State Plan (on Education) is finished. I think it's a good one and I hope that whatever transition takes place that the logistics of this operation can continue at pace. I assume that we should keep this effort."

The Chair answered: "We should keep working."

ADJOURNMENT

At 1:21 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, April 7, 1983.

FORTY-NINTH DAY

Thursday, April 7, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:45 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Veryl Henderson, Resort Missionary of Hawaii Baptist Convention, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Forty-Eighth Day.

The following introductions were then made to the members of the body:

Senator B. Kobayashi, on behalf of the Senate, introduced a group from the Kaimuki-Kaiser Community Adult School, who were sitting in the gallery, accompanied by their teachers: Beatrice Fordson, Rosemary Chun and Emily Simmers.

Senator Kawasaki then introduced the following and stated:

"Mr. President, I'd like to introduce a gentleman I think all Democrats should know. His name is Yataro 'No B.S.' Kubota, and the 'No B.S.' appellation was given to him by his many acquaintances because he is a gentleman known to call the shots as he sees them, not mincing words.

"This gentleman, as you know, has been a strong backer of both you and me, and he is our opinion census taker, and he has been one of my secret campaign organization tools that has enabled me to know what the public opinion is on different issues, and I thought he should be introduced because he wheels a lot of influence among the senior citizens, particularly, who place great stock in what he has to say on issues before the Legislature because he's made it a point, for years, to sit in the galleries and watch what takes place in the way of discussion of issues."

Mr. Yataro Kubota was asked to rise and be recognized.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 273) transmitting copies of the Annual Report, FY 1981-1982, of the Commission on the Handicapped, was read by the Clerk and was

referred to the Committee on Health.

DEPARTMENTAL COMMUNICATION

A communication from the Office of the Administrative Director of the Courts, the Judiciary, (Dept. Com. No. 34) transmitting copies of an Executive Summary, "Managing the Hawaii Judiciary: An Era of Accomplishment, 1966-1982," was read by the Clerk and was referred to the Committee on Judiciary.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 413 to 432) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 413) transmitting House Concurrent Resolution No. 21, which was adopted by the House of Representatives on April 6, 1983, was read by the Clerk and was placed on file.

By unanimous consent, H.C.R. No. 21, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF STRATEGIC PETROLEUM RESERVES IN HAWAII," was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 414) transmitting House Concurrent Resolution No. 69, which was adopted by the House of Representatives on April 6, 1983, was read by the Clerk and was placed on file.

By unanimous consent, H.C.R. No. 69, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT, THE SECRETARY OF STATE, AND THE UNITED STATES CONGRESS TO PLACE A HIGH PRIORITY ON THE REDUCTION OF NUCLEAR ARMS," was referred to the Committee on Federal Programs.

At 11:51 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 o'clock a.m.

A communication from the House (Hse. Com. No. 415), returning Senate Bill No. 22, which passed Third Reading in the House of Representatives on April 6, 1983, was

placed on file.

A communication from the House (Hse. Com. No. 416), returning Senate Bill No. 40, which passed Third Reading in the House of Representatives on April 6, 1983, was placed on file.

A communication from the House (Hse. Com. No. 417), returning Senate Bill No. 41, which passed Third Reading in the House of Representatives on April 6, 1983, was placed on file.

A communication from the House (Hse. Com. No. 418), returning Senate Bill No. 178, which passed Third Reading in the House of Representatives on April 6, 1983, was placed on file.

A communication from the House (Hse. Com. No. 419), returning Senate Bill No. 185, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 1983, was placed on file.

A communication from the House (Hse. Com. No. 420), returning Senate Bill No. 192, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 1983, was placed on file.

A communication from the House (Hse. Com. No. 421), returning Senate Bill No. 242, which passed Third Reading in the House of Representatives on April 6, 1983, was placed on file.

A communication from the House (Hse. Com. No. 422), returning Senate Bill No. 363, which passed Third Reading in the House of Representatives on April 6, 1983, was placed on file.

A communication from the House (Hse. Com. No. 423), returning Senate Bill No. 558, which passed Third Reading in the House of Representatives on April 6, 1983, was placed on file.

A communication from the House (Hse. Com. No. 424), returning Senate Bill No. 791, which passed Third Reading in the House of Representatives on April 6, 1983, was placed on file.

A communication from the House (Hse. Com. No. 425), returning Senate Bill No. 469, which passed Third Reading in the House of Representatives on April 6, 1983, was placed on file.

A communication from the House (Hse. Com. No. 426), returning Senate Bill No. 509, which passed Third Reading in the House of Representatives on April 6, 1983, was placed on file.

A communication from the House (Hse. Com. No. 427), returning Senate Bill No. 511, which passed Third Reading in the House of Representatives on April 6, 1983, was placed on file.

A communication from the House (Hse. Com. No. 428), returning Senate Bill No. 769, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 1983, was placed on file.

A communication from the House (Hse. Com. No. 429), returning Senate Bill No. 777, which passed Third Reading in the House of Representatives on April 6, 1983, was placed on file.

A communication from the House (Hse. Com. No. 430), returning Senate Bill No. 806, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 1983, was placed on file.

A communication from the House (Hse. Com. No. 431), returning Senate Bill No. 1295, S.D. 1, which passed Third Reading in the House of Representatives on April 6, 1983, was placed on file.

A communication from the House (Hse. Com. No. 432), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 6, 1983, the Speaker appointed Representatives Kiyabu, Chairman, Kawakami, Vice-Chairman, Bunda, Chun, Crozier, Gaulty, Levin, Morgado, Nakata, Souki, Tam, Wong, Yoshimura, Anderson, and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

SENATE RESOLUTION

A resolution (S.R. No. 82), pertaining to the election of Joseph T. Kuroda as Vice-President of the Senate, was offered by Senator Wong,

and was read by the Clerk.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 82 was adopted.

At this time, the President administered the oath of office to the newly elected Vice-President of the Senate, Joseph T. Kuroda.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 64 to 73) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 64), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CESSATION OF FURTHER ACTION ON THE WIDENING OF KUHIO AVENUE," was offered by Senators Cobb, Chang, B. Kobayashi, Hagino, Aki, Young, Carpenter and Toguchi.

By unanimous consent, S.C.R. No. 64 was referred to the Committee on Tourism.

A concurrent resolution (S.C.R. No. 65), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A UNITED STATES BAN ON THE EXPORT OF UNREGISTERED PESTICIDES," was offered by Senators Chang, Hagino, A. Kobayashi, Solomon and Machida.

By unanimous consent, S.C.R. No. 65 was referred to the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 66), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE TO INVITE A BLUE RIBBON PESTICIDE RISK ASSESSMENT TEAM TO EVALUATE THE HEPTACHLOR EXPOSURE AND TO APPOINT A SPECIAL PROSECUTOR TO EXPLORE WHETHER A SUIT SHOULD BE FILED AGAINST THE ENVIRONMENTAL PROTECTION AGENCY," was offered by Senators Chang, A. Kobayashi, Solomon, Hagino and Machida.

By unanimous consent, S.C.R. No. 66 was referred to the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 67), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE REOPENING OF OAHU HIKING TRAILS," was offered by Senators Chang, Hagino, A. Kobayashi, Solomon and Machida.

By unanimous consent, S.C.R. No. 67 was referred to the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 68), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES ARMY TO REPORT ON THE PROGRESS OF FIRE HAZARD MANAGEMENT FOR THE POHAKULOA TRAINING AREA, ISLAND OF HAWAII," was offered by Senators Chang, Hagino, A. Kobayashi, Solomon and Machida.

By unanimous consent, S.C.R. No. 68 was referred to the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 69), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ESTABLISHING CRITERIA AND MAKING RECOMMENDATIONS FOR THE PRESERVATION OF HISTORIC TREES," was offered by Senators Chang, Solomon, Hagino and Machida.

By unanimous consent, S.C.R. No. 69 was referred to the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 70), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO ESTABLISHING AN INFORMATION OFFICE IN THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was offered by Senators Chang, Solomon, Hagino and Machida.

By unanimous consent, S.C.R. No. 70 was referred to the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 71), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE APPOINTMENT OF A SPECIAL TASK FORCE TO CONDUCT A STUDY EVALUATING THE HISTORIC PRESERVATION PROGRAM," was offered by Senators Chang, Solomon, Hagino and Machida.

By unanimous consent, S.C.R. No. 71 was referred to the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 72), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY BY THE FAMILY COURT OF THE ENFORCEMENT OF VISITATION RIGHTS OF DIVORCED PARENTS," was offered by Senators Chang, A. Kobayashi, Solomon, Hagino, Machida, Kuroda, Aki, Young and Uwayne.

By unanimous consent, action on

S.C.R. No. 72 was deferred until Friday, April 8, 1983.

A concurrent resolution (S.C.R. No. 73), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING CLOSER COOPERATION BETWEEN THE WAIKIKI NEIGHBORHOOD BOARD AND THE WAIKIKI COMMUNITY CENTER," was offered by Senator B. Kobayashi.

By unanimous consent, action on S.C.R. No. 73 was deferred until Friday, April 8, 1983.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 80 and 81, 83 to 94) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 80), entitled: "SENATE RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE TO APPOINT AN INTERIM COMMITTEE TO REVIEW CAMPAIGN SPENDING LAWS," was offered by Senators George, Henderson, Soares, Holt, Mizuguchi, Toguchi, A. Kobayashi, Chang, Machida, Uwane, Cayetano, Solomon, Hagino and Aki.

By unanimous consent, S.R. No. 80 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 81), entitled: "SENATE RESOLUTION REQUESTING A REPORT ON CORRECTIVE MEASURES FOR DANGEROUS CONDITIONS AT WAIANAE BOAT HARBOR," was offered by Senator Young.

By unanimous consent, S.R. No. 81 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 83), entitled: "SENATE RESOLUTION REQUESTING THE CESSATION OF FURTHER ACTION ON THE WIDENING OF KUHIO AVENUE," was offered by Senators Cobb, Chang, B. Kobayashi, Hagino, Aki, Young, Carpenter and Toguchi.

By unanimous consent, S.R. No. 83 was referred to the Committee on Tourism.

A resolution (S.R. No. 84), entitled: "SENATE RESOLUTION REQUESTING A UNITED STATES BAN ON THE EXPORT OF UNREGISTERED PESTICIDES," was offered by Senators Chang, A. Kobayashi,

Solomon, Hagino and Machida.

By unanimous consent, S.R. No. 84 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 85), entitled: "SENATE RESOLUTION REQUESTING THE STATE TO INVITE A BLUE RIBBON PESTICIDE RISK ASSESSMENT TEAM TO EVALUATE THE HEPTACHLOR EXPOSURE AND TO APPOINT A SPECIAL PROSECUTOR TO EXPLORE WHETHER A SUIT SHOULD BE FILED AGAINST THE ENVIRONMENTAL PROTECTION AGENCY," was offered by Senators Chang, Hagino, A. Kobayashi, Solomon and Machida.

By unanimous consent, S.R. No. 85 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 86), entitled: "SENATE RESOLUTION REQUESTING THE REOPENING OF OAHU HIKING TRAILS," was offered by Senators Chang, Solomon, Hagino and Machida.

By unanimous consent, S.R. No. 86 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 87), entitled: "SENATE RESOLUTION REQUESTING THE UNITED STATES ARMY TO REPORT ON THE PROGRESS OF FIRE HAZARD MANAGEMENT FOR THE POHAKULOA TRAINING AREA, ISLAND OF HAWAII," was offered by Senators Chang, A. Kobayashi, Solomon, Hagino and Machida.

By unanimous consent, S.R. No. 87 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 88), entitled: "SENATE RESOLUTION REQUESTING A STUDY ESTABLISHING CRITERIA AND MAKING RECOMMENDATIONS FOR THE PRESERVATION OF HISTORIC TREES," was offered by Senators Chang, Hagino, A. Kobayashi, Solomon and Machida.

By unanimous consent, S.R. No. 88 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 89), entitled: "SENATE RESOLUTION RELATING TO ESTABLISHING AN INFORMATION OFFICE IN THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was offered by Senators Chang, Hagino, A.

Kobayashi, Solomon and Machida.

By unanimous consent, S.R. No. 89 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 90), entitled: "SENATE RESOLUTION REQUESTING THE APPOINTMENT OF A SPECIAL TASK FORCE TO CONDUCT A STUDY EVALUATING THE HISTORIC PRESERVATION PROGRAM," was offered by Senators Chang, Hagino, A. Kobayashi, Solomon and Machida.

By unanimous consent, S.R. No. 90 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 91), entitled: "SENATE RESOLUTION REQUESTING A STUDY BY THE FAMILY COURT OF THE ENFORCEMENT OF VISITATION RIGHTS OF DIVORCED PARENTS," was offered by Senators Chang, Hagino, A. Kobayashi, Solomon, Machida, Kuroda, Aki, Young and Uwaine.

By unanimous consent, action on S.R. No. 91 was deferred until Friday, April 8, 1983.

A resolution (S.R. No. 92), entitled: "SENATE RESOLUTION REQUESTING CLOSER COOPERATION BETWEEN THE WAIKIKI NEIGHBORHOOD BOARD AND THE WAIKIKI COMMUNITY CENTER," was offered by Senator B. Kobayashi.

By unanimous consent, action on S.R. No. 92 was deferred until Friday, April 8, 1983.

A resolution (S.R. No. 93), entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AND THE BOARD OF REGENTS TO SUBMIT A COMPREHENSIVE REPORT ON ITS CURRENT STUDENT REGISTRATION, CLASS REGISTRATION, AND COURSE SCHEDULING SYSTEM INCLUDING AN ASSESSMENT OF ANY DEFICIENCIES, AND RECOMMENDATIONS FOR IMPROVEMENT," was offered by Senators Holt, Yamasaki, Machida, Aki, Young, Mizuguchi, Cayetano, Toguchi, Kuroda and Carpenter.

By unanimous consent, action on S.R. No. 93 was deferred until Friday, April 8, 1983.

A resolution (S.R. No. 94), entitled: "SENATE RESOLUTION REQUESTING THE HAWAII HOUSING AUTHORITY TO PREPARE A STATUS

REPORT ON THE CROWN PROPERTY SITE," was offered by Senator Young.

By unanimous consent, action on S.R. No. 94 was deferred until Friday, April 8, 1983.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 861) informing the Senate that Senate Concurrent Resolution Nos. 64 to 71, Senate Resolution Nos. 80 to 90, and Standing Committee Report No. 862 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Hagino, for the Committee on Federal Relations, presented a report (Stand. Com. Rep. No. 862) recommending that the Senate advise and consent to the nominations of the following:

Robert H. Ishimoto to the Civil Defense Advisory Council, in accordance with Governor's Message No. 115;

Alexis T. Lum as Adjutant General, in accordance with Governor's Message No. 156; and

Roland D. Sagum to the Civil Defense Advisory Council, in accordance with Governor's Message No. 187.

By unanimous consent, action on Stand. Com. Rep. No. 862 and Gov. Msg. Nos. 115, 156 and 187 was deferred until Friday, April 8, 1983.

At this time, the Chair made the following announcement:

"Members of the Senate, before taking up matters on the Order of the Day, I would like to inform you that we will be returning at approximately 4:00 o'clock p.m. at which time agreement or disagreement on Senate bills that have been amended by the House will be taken up."

ORDER OF THE DAY

MATTERS DEFERRED
FROM APRIL 6, 1983

At this time, the President deferred action on House Communication Nos.

317 to 412 and Senate Bill No. 133, S.D. 1 (H.D. 1), to the end of the afternoon calendar:

ADVISE AND CONSENT

Standing Committee Report No. 858 (Gov. Msg. No. 134):

Senator Young moved that Stand. Com. Rep. No. 858 be received and placed on file, seconded by Senator Holt and carried.

Senator Young then moved that the Senate advise and consent to the nominations to the Hawaii Housing Authority of the following:

John P. Spierling, term to expire December 31, 1983; and

George G. Costa, Jr., term to expire December 31, 1984,

seconded by Senator Holt.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 859 (Gov. Msg. Nos. 135, 196 and 240):

Senator Young moved that Stand. Com. Rep. No. 859 be received and placed on file, seconded by Senator Holt and carried.

Senator Young then moved that the Senate advise and consent to the nomination of Thomas M. Itagaki, to the Hawaii Community Development Authority, term to expire December 31, 1986, seconded by Senator Holt.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Young then moved that the Senate advise and consent to the nomination of William A. Knutson, to the Hawaii Housing Authority, term to expire December 31, 1983, seconded by Senator Holt.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Young then moved that the Senate advise and consent to the nominations to the Advisory Council for Housing and Construction

Industry of the following:

Eddy N. Nagao, term to expire December 31, 1984; and

Lito R. Alcantra, term to expire December 31, 1986,

seconded by Senator Holt.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 860 (Gov. Msg. Nos 103, 104, 105, 106, 107, 177, 178, 179, 180 and 181):

Senator Chang moved that Stand. Com. Rep. No. 860 be received and placed on file, seconded by Senator Hagino and carried.

Senator Chang then moved that the Senate advise and consent to the nomination of Jacqueline Parnell as Director of the Environmental Quality Control, term to expire December 1, 1986, seconded by Senator Hagino.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Chang then moved that the Senate advise and consent to the nominations of Bert Akio Kobayashi and Irwin K. Kawano to the Aquatic Life and Wildlife Advisory Committee, City and County of Honolulu, terms to expire December 31, 1986, seconded by Senator Hagino.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Chang then moved that the Senate advise and consent to the nomination of James B. Watt to the Aquatic Life and Wildlife Advisory Committee, County of Hawaii, term to expire December 31, 1986, seconded by Senator Hagino.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Chang then moved that the Senate advise and consent to the nomination of John Brooks, II, to the Aquatic Life and Wildlife Advisory

Committee, County of Maui, term to expire December 31, 1986, seconded by Senator Hagino.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Chang then moved that the Senate advise and consent to the nominations of Bob A. Hee and Michael V. Layosa, Sr., to the Aquatic Life and Wildlife Advisory Committee, County of Kauai, term to expire December 31, 1986, seconded by Senator Hagino.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Chang then moved that the Senate advise and consent to the nomination of Tonnie Laura Colleen Casey to the Animal Species Advisory Commission, term to expire December 31, 1983, seconded by Senator Hagino.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Chang then moved that the Senate advise and consent to the nomination of Bert H. Nagai to the Aquatic Life and Wildlife Advisory Committee, City and County of Honolulu, term to expire December 31, 1986, seconded by Senator Hagino.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Chang then moved that the Senate advise and consent to the nominations of George C. Wilkins and Eric M. Takata to the Aquatic Life and Wildlife Advisory Committee, County of Hawaii, terms to expire December 31, 1986, seconded by Senator Hagino.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Chang then moved that the Senate advise and consent to the

nominations to the Aquatic Life and Wildlife Advisory Committee, County of Maui, of the following:

Haruo Nakagawa, term to expire December 31, 1986; and

Sherman N. Thompson, term to expire December 31, 1985,

seconded by Senator Hagino.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Chang then moved that the Senate advise and consent to the nomination of Trinidad A. Raval to the Aquatic Life and Wildlife Advisory Committee, County of Kauai, term to expire December 31, 1986, seconded by Senator Hagino.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

THIRD READING

MATTER DEFERRED
FROM APRIL 6, 1983

House Bill No. 703, H.D. 1:

By unanimous consent, action on H.B. No. 703, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATE ENERGY," was deferred until Friday, April 8, 1983.

At this time, Senator George rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, this morning I read in the Honolulu Advertiser a disturbing editorial, without reference to the materials surrounding the point which I'm going to bring up.

"I would like to say that the pejorative language that was used by a somewhat intemperate editorial writer is something I should take exception to.

"The sentence to which I refer reads, 'But the essential issue here was the blatant power play of the six Democrats seeking opportunistic Republican help.'

"I needed a little help myself with

the word 'opportunistic' and looked it up in the unabridged dictionary and found the following: 'opportunism; policy, or practice of taking advantage as in politics of opportunities or circumstances; or, often, of seeking immediate advantage with little regard for principles or ultimate consequences.'

"Mr. President, I am not unprincipled. I do not believe my Republican colleagues are unprincipled and I think maybe I'd like to have that on the record. Thank you."

Senator Kawasaki also rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege too. I'd like to respond or I'd like to add some comments of my own regarding this morning's Advertiser editorial that is typical of the morning Advertiser's editorial column.

"This in no way reflects the quality of the reportorial department.

"If this cheap editorial that emanates in the morning press is the kind of editorials we're going to have, I'm not interested in maintaining two separate editorial voices. We could just as well eliminate one, and perhaps that might be considered by Senator George, who, as I recall, did not concur with six members or five members of the Judiciary Committee when the Judiciary Committee chairman and these five members wanted to report out a bill repealing the statute giving newspapers the monopolistic immunity privileges accorded them in 1970. She might keep that in mind."

Senator George, in response, answered:

"Mr. President, in response to the comment just made, I would like to say I do not wish to still that editorial voice. I think they have every right to say anything they want to. I just have the right to come back and say anything I want to in response. Thank you."

At 12:01 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:05 o'clock p.m.

At 12:06 o'clock p.m., on motion by Senator Cobb, seconded by Senator

Soares and carried, the Senate stood in recess until 4:00 o'clock p.m. this afternoon.

AFTERNOON SESSION

The Senate reconvened at 4:00 o'clock p.m.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 433), returning Senate Bill No. 760, S.D. 1, which passed Third Reading in the House of Representatives on April 7, 1983, was read by the Clerk and was placed on file.

STANDING COMMITTEE REPORT

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 863), recommending that the Senate advise and consent to the nomination of Mary G.F. Bitterman, Ph.D., as Director of Commerce and Consumer Affairs, in accordance with Governor's Message No. 220.

By unanimous consent, action on Stand. Com. Rep. No. 863 and Gov. Msg. No. 220 was deferred until Friday, April 8, 1983.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

House Communication No. 317 (S.B. No. 4, S.D. 1, H.D.1):

By unanimous consent, Hse. Com. No. 317 returning S.B. No. 4, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 4, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate as such conference was deferred until Friday, April 8, 1983.

House Communication No. 318 (S.B. No. 6, S.D. 1, H.D. 2):

By unanimous consent, Hse. Com. No. 318 returning S.B. No. 6, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed

on file.

Senator Yamasaki moved that the Senate agree to the amendments proposed by the House to S.B. No. 6, S.D. 1, seconded by Senator B. Kobayashi.

Senator Yamasaki then explained that "the House merely added the words 'State of Hawaii' in defining the Department of Health."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 6, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 6, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR."

House Communication No. 319 (S.B. No. 30, S.D. 2, H.D. 1):

By unanimous consent, Hse. Com. No. 319 returning S.B. No. 30, S.D. 2, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 30, S.D. 2, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 320 (S.B. No. 34, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 320 returning S.B. No. 34, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Cobb, seconded by Senator Chang and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 34, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the

appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 321 (S.B. No. 53, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 321 returning S. B. No. 53, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Cobb, seconded by Senator Chang and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 53, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 322 (S.B. No. 42, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 322 returning S.B. No. 42, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Cobb, seconded by Senator Chang and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 42, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 323 (S.B. No. 55, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 323 returning S.B. No. 55, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Cobb, seconded by Senator Chang and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 55, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was

deferred until Friday, April 8, 1983.

House Communication No. 324 (S.B. No. 79, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 324 returning S.B. No. 79, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1983, in an amended form, was placed on file.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 79, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 325 (S.B. No. 80, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 325 returning S.B. No. 80, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 80, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 326 (S.B. No. 115, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 326 returning S.B. No. 115, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 115, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 327 (S.B. No. 117, H.D. 1):

By unanimous consent, Hse. Com. No. 327 returning S.B. No. 117, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

Senator Hagino then moved that the Senate agree to the amendments proposed by the House to S.B. No. 117, seconded by Senator Kuroda.

Senator Hagino explained that "the amendments made by the House were merely technical adjustments."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 117, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 117, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD."

House Communication No. 328 (S.B. No. 122, S.D. 1, H.D. 2):

By unanimous consent, Hse. Com. No. 328 returning S.B. No. 122, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 122, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 329 (S.B. No. 176, S.D. 1, H.D. 1):

On motion by Senator Cobb, seconded by Senator Chang and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 176, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 330 (S.B.

No. 177, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 330 returning S.B. No. 177, S.D. 1, H.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

Senator Cobb then moved that the Senate agree to the amendments proposed by the House to S.B. No. 177, S.D. 1, seconded by Senator Chang.

Senator Cobb explained that "very minor changes were made by the House which are acceptable."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 177, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 177, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY."

House Communication No. 331 (S.B. No. 179, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 331 returning S.B. No. 179, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Chang and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 179, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 332 (S.B. No. 180, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 332 returning S.B. No. 180, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Cobb, seconded by Senator Chang and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 180, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the

appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 333 (S.B. No. 181, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 333 returning S.B. No. 181, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Cobb, seconded by Senator Chang and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 181, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 334 (S.B. No. 182, H.D. 1):

By unanimous consent, Hse. Com. No. 334 returning S.B. No. 182, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

Senator Cobb then moved that the Senate agree to the amendments proposed by the House to S.B. No. 182, seconded by Senator Chang.

Senator Cobb explained that "there are primarily technical changes of minor nature to this bill which are perfectly acceptable."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 182, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 182, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DISPENSING OPTICIANS."

House Communication No. 335 (S.B. No. 184, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 335 returning S.B. No. 184, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Cobb, seconded by Senator Chang and carried, the Senate disagreed to the

amendments proposed by the House to S.B. No. 184, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 336 (S.B. No. 186, S.D. 1, H.D. 2):

By unanimous consent, Hse. Com. No. 336 returning S.B. No. 186, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

Senator Cobb then moved that the Senate agree to the amendments proposed by the House to S.B. No. 186, S.D. 1, seconded by Senator Chang.

Senator Cobb explained that "some of the changes made by the House strengthen the bill, which are in agreement," and recommends final reading.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 186, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 186, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE INVESTIGATORS AND GUARDS."

House Communication No. 337 (S.B. No. 191, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 337 returning S.B. No. 191, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Cobb, seconded by Senator Chang and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 191, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 338 (S.B. No. 193, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com.

No. 338 returning S.B. No. 193, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Cobb, seconded by Senator Chang and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 193, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 339 (S.B. No. 203, H.D. 1):

By unanimous consent, Hse. Com. No. 339 returning S.B. No. 203, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

Senator Mizuguchi then moved that the Senate agree to the amendments proposed by the House to S.B. No. 203, seconded by Senator Cobb.

Senator Mizuguchi explained that "the changes made by the House are changes in drafting and style, very minor."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 203, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 203, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE FOR CHILDREN."

House Communication No. 340 (S.B. No. 236, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 340 returning S.B. No. 236, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Machida, seconded by Senator Young and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 236, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was

deferred until Friday, April 8, 1983.

House Communication No. 341 (S.B. No. 241, S.D. 1, H.D. 2):

By unanimous consent, Hse. Com. No. 341 returning S.B. No. 241, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 241, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 342 (S.B. No. 247, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 342 returning S.B. No. 247, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Cobb, seconded by Senator Chang and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 247, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 343 (S.B. No. 255, S.D. 1, H.D. 2):

By unanimous consent, Hse. Com. No. 343 returning S.B. No. 255, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 255, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 344 (S.B.

No. 313, S.D. 1, H.D. 2):

By unanimous consent, Hse. Com. No. 344 returning S.B. No. 313, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Cayetano, seconded by Senator Machida and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 313, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 345 (S.B. No. 324, S.D. 1, H.D. 2):

By unanimous consent, Hse. Com. No. 345 returning S.B. No. 324, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Hagino, seconded by Senator Solomon and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 324, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 346 (S.B. No. 343, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 346 returning S.B. No. 343, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

Senator Mizuguchi then moved that the Senate agree to the amendments proposed by the House to S.B. No. 343, S.D. 1, seconded by Senator Cobb.

Senator Mizuguchi explained as follows: "Mr. President, this bill allows the public employees' union and management to agree on a reduction in the number of pay steps in the various salary schedules. The Senate gave unions and management until June 30, 1983 to complete this conversion, however, it is now felt that they need more time so the bill extends that deadline to December 31,

1983. We have no objections."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 343, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 343, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES."

House Communication No. 347 (S.B. No. 18, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 347 returning S.B. No. 18, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

Senator Cobb then moved that the Senate agree to the amendments proposed by the House to S.B. No. 18, S.D. 1, seconded by Senator Chang.

Senator Cobb explained that the amendments are "primarily minor changes with no substantive effect."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 18, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 18, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAIR BUSINESS PRACTICES."

House Communication No. 348 (S.B. No. 362, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 348 returning S.B. No. 362, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Chang, seconded by Senator Hagino and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 362, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 349 (S.B. No. 366, H.D. 1):

By unanimous consent, Hse. Com. No. 349 returning S.B. No. 366, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

Senator Uwaine then moved that the Senate agree to the amendments proposed by the House to S.B. No. 366, seconded by Senator Yamasaki.

Senator Uwaine explained that "the House made some grammatical corrections as far as the writing style."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 366, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 366, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON TRANSPORTATION."

House Communication No. 350 (S.B. No. 368, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 350 returning S.B. No. 368, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

Senator Yamasaki then moved that the Senate agree to the amendments proposed by the House to S.B. No. 368, S.D. 1, seconded by Senator Solomon.

Senator Yamasaki explained that "the House inserted a Section 2 to appropriate \$183,316 for the purposes of the bill."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 368, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 368, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION."

House Communication No. 351 (S.B. No. 370, S.D. 2, H.D. 2):

By unanimous consent, Hse. Com. No. 351 returning S.B. No. 370, S.D. 2, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Yamasaki, seconded by Senator Hagino and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 370, S.D. 2, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 352 (S.B. No. 418, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 352 returning S.B. No. 418, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Uwaine, seconded by Senator Yamasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 418, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 353 (S.B. No. 448, S.D. 1):

By unanimous consent, Hse. Com. No. 353 returning S.B. No. 448, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, was placed on file.

House Communication No. 354 (S.B. No. 450, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 354 returning S.B. No. 450, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Cobb, seconded by Senator Chang and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 450, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 355 (S.B. No. 480, S.D. 1):

By unanimous consent, Hse. Com.

No. 355 returning S.B. No. 480, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, was placed on file.

House Communication No. 356 (S.B. No. 481, S.D. 1):

By unanimous consent, Hse. Com. No. 356 returning S.B. No. 481, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, was placed on file.

House Communication No. 357 (S.B. No. 484, S.D. 1):

By unanimous consent, Hse. Com. No. 357 returning S.B. No. 484, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, was placed on file.

House Communication No. 358 (S.B. No. 492, S.D. 1, H.D. 2):

By unanimous consent, Hse. Com. No. 358 returning S.B. No. 492, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 492, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 359 (S.B. No. 498, S.D. 1):

By unanimous consent, Hse. Com. No. 359 returning S.B. No. 498, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, was placed on file.

House Communication No. 360 (S.B. No. 507, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 360 returning S.B. No. 507, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

Senator Mizuguchi then moved that the Senate agree to the amendments proposed by the House to S.B. No. 507, S.D. 1, seconded by Senator Cobb.

Senator Mizuguchi explained that

the amendments are "very minor changes which are non-substantive in nature."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 507, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 507, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAGE AND HOUR LAW."

House Communication No. 361 (S.B. No. 520, H.D. 1):

By unanimous consent, Hse. Com. No. 361 returning S.B. No. 520, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

Senator Young then moved that the Senate agree to the amendments proposed by the House to S.B. No. 520, seconded by Senator Holt.

Senator Young explained that the amendments are technical, non-substantive changes.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 520, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 520, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HOUSING AUTHORITY."

House Communication No. 362 (S.B. No. 525, H.D. 1):

By unanimous consent, Hse. Com. No. 362 returning S.B. No. 525, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

Senator Uwaine then moved that the Senate agree to the amendments proposed by the House to S.B. No. 525, seconded by Senator Yamasaki.

Senator Uwaine explained as follows:

"Mr. President, the purpose of the bill is to change the law respecting the person or persons who must sign the minor's application for a driver's license or instruction permit. The only thing the House has done is

make a list of people who are authorized to sign, in priority. The Senate version just listed the number of people who are authorized to sign."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 525, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 525, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING."

House Communication No. 363 (S.B. No. 555, S.D. 2, H.D. 2):

By unanimous consent, Hse. Com. No. 363 returning S.B. No. 555, S.D. 2, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Yamasaki, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 555, S.D. 2, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 364 (S.B. No. 569, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 364 returning S.B. No. 569, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 569, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 365 (S.B. No. 608, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 365 returning S.B. No. 608, S.D. 1, which passed Third Reading in the House of Representatives on

April 4, 1983, in an amended form, was placed on file.

On motion by Senator Yamasaki, seconded by Senator Young and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 608, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 366 (S.B. No. 630, S.D. 1):

By unanimous consent, Hse. Com. No. 366 returning S.B. No. 630, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, was placed on file.

House Communication No. 367 (S.B. No. 631, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 367 returning S.B. No. 631, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 631, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 368 (S.B. No. 640, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 368 returning S.B. No. 640, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

Senator Cobb then moved that the Senate agree to the amendments proposed by the House to S.B. No. 640, S.D. 1, seconded by Senator Chang.

Senator Cobb explained as follows: "Mr. President, the House amended the bill to lengthen the time period to 10 years and deleted all provisions as to defense action relating to personal injury or wrongful death. I think

those are changes that address most, if not all, of the concerns that have been addressed; therefore, I am recommending agreement."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 640, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 640, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS."

House Communication No. 369 (S.B. No. 656, S.D. 1, H.D. 2):

By unanimous consent, Hse. Com. No. 369 returning S.B. No. 656, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Chang, seconded by Senator Hagino and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 656, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 370 (S.B. No. 665, S.D. 1):

By unanimous consent, Hse. Com. No. 370 returning S.B. No. 665, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

House Communication No. 371 (S.B. No. 669, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 371 returning S.B. No. 669, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Machida, seconded by Senator Young and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 669, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was

deferred until Friday, April 8, 1983.

House Communication No. 372 (S.B. No. 711, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 372 returning S.B. No. 711, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Cobb, seconded by Senator Chang and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 711, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 373 (S.B. No. 735, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 373 returning S.B. No. 735, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Cobb, seconded by Senator Chang and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 735, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 374 (S.B. No. 741, S.D. 1, H.D. 2):

By unanimous consent, Hse. Com. No. 374 returning S.B. No. 741, S.D. 1, which passed Third Reading in the House of Representatives, in an amended form, was placed on file.

Senator Uwaine then moved that the Senate agree to the amendments proposed by the House to S.B. No. 741, S.D. 1, seconded by Senator Yamasaki.

Senator Uwaine explained that "the House has just made some non-substantive, grammatical and technical amendments to the bill."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the

House to S.B. No. 741, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 741, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTY VEHICULAR TAX REFUNDS; VEHICLES REMOVED FROM THE STATE; JUNKED VEHICLES; VEHICLES BROUGHT INTO THE STATE; EXEMPTIONS FOR STORED VEHICLES."

House Communication No. 375 (S.B. No. 742, S.D. 2, H.D. 1):

By unanimous consent, Hse. Com. No. 375 returning S.B. No. 742, S.D. 2, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Uwaine, seconded by Senator Yamasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 742, S.D. 2, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 376 (S.B. No. 748, S.D. 1):

By unanimous consent, Hse. Com. No. 376 returning S.B. No. 748, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, was placed on file.

House Communication No. 377 (S.B. No. 749, H.D. 1):

By unanimous consent, Hse. Com. No. 377 returning S.B. No. 749, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

Senator Uwaine then moved that the Senate agree to the amendments proposed by the House to S.B. No. 749, seconded by Senator Yamasaki.

Senator Uwaine explained that "the House has just made minor, technical amendments."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 749, and in accordance with Article III, Section 15, of the Constitution of the State of

Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 749, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

House Communication No. 378 (S.B. No. 756, H.D. 1):

By unanimous consent, Hse. Com. No. 378 returning S.B. No. 756, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Aki, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 756, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 379 (S.B. No. 757, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 379 returning S.B. No. 757, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

Senator Cobb then moved that the Senate agree to the amendments proposed by the House to S.B. No. 757, S.D. 1, seconded by Senator Chang.

Senator Cobb explained that "the amendments are primarily technical changes of a minor nature."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 757, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 757, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS."

House Communication No. 380 (S.B. No. 775, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 380 returning S.B. No. 775, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Chang,

seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 775, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 381 (S.B. No. 787, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 381 returning S.B. No. 787, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Cobb, seconded by Senator Chang and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 787, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 382 (S.B. No. 800, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 382 returning S.B. No. 800, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Cobb, seconded by Senator Chang and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 800, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 383 (S.B. No. 805, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 383 returning S.B. No. 805, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Cobb, seconded by Senator Chang and carried, the Senate disagreed to the

amendments proposed by the House to S.B. No. 805, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 384 (S.B. No. 834, S.D. 1, H.D. 2):

By unanimous consent, Hse. Com. No. 384 returning S.B. No. 834, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 834, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 385 (S.B. No. 890):

By unanimous consent, Hse. Com. No. 385 returning S.B. No. 890, which passed Third Reading in the House of Representatives on April 4, 1983, was placed on file.

House Communication No. 386 (S.B. No. 903, S.D. 1, H.D. 2):

By unanimous consent, Hse. Com. No. 386 returning S.B. No. 903, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Aki, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 903, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 387 (S.B. No. 904, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 387 returning S.B. No. 904, S.D. 1, which passed Third Reading

in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Cobb, seconded by Senator Chang and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 904, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 388 (S.B. No. 907, H.D. 1):

By unanimous consent, Hse. Com. No. 388 returning S.B. No. 907, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Aki, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 907, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 389 (S.B. No. 937, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 389 returning S.B. No. 937, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 937, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 390 (S.B. No. 965, S.D. 2, H.D. 1):

By unanimous consent, Hse. Com. No. 390 returning S.B. No. 965, S.D. 2, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Young, seconded by Senator Holt and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 965, S.D. 2, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 391 (S.B. No. 977, S.D. 1, H.D. 2):

By unanimous consent, Hse. Com. No. 391 returning S.B. No. 977, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

Senator Mizuguchi then moved that the Senate agree to the amendments proposed by the House to S.B. No. 977, S.D. 1, seconded by Senator Cobb.

Senator Mizuguchi explained that "the House deleted provisions relating to the medical assistance program. However, these provisions are included in House Bill 1, the budget bill."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 977, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 977, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES."

House Communication No. 392 (S.B. No. 993, H.D. 1):

By unanimous consent, Hse. Com. No. 392 returning S.B. No. 993, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Hagino, seconded by Senator Solomon and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 993, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 393 (S.B. No. 994, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 393 returning S.B. No. 994, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Yamasaki, seconded by Senator Machida and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 994, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 394 (S.B. No. 1003, S.D. 1, H.,D. 1):

By unanimous consent, Hse. Com. No. 394 returning S.B. No. 1003, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Yamasaki, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1003, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 395 (S.B. No. 1008, H.D. 1):

By unanimous consent, Hse. Com. No. 395 returning S.B. No. 1008, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Aki, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1008, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 396 (S.B. No. 1050, H.D. 1):

By unanimous consent, Hse. Com. No. 396 returning S.B. No. 1050, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Solomon, seconded by Senator Mizuguchi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1050, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 397 (S.B. No. 1057, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 397 returning S.B. No. 1057, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

Senator Solomon then moved that the Senate agree to the amendments proposed by the House to S.B. No. 1057, S.D. 1, seconded by Senator Mizuguchi.

Senator Solomon explained that the changes are minor and nonsubstantive.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1057, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 1057, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER EDUCATION INSTRUCTORS."

House Communication No. 398 (S.B. No. 1062, S.D. 2, H.D. 2):

By unanimous consent, Hse. Com. No. 398 returning S.B. No. 1062, S.D. 2, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Yamasaki, seconded by Senator Aki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1062, S.D. 2, and requested a conference on the subject matter thereof.

By unanimous consent, the

appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 399 (S.B. No. 1075, S.D. 1, H.D. 2):

By unanimous consent, Hse. Com. No. 399 returning S.B. No. 1075, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Aki, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1075, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 400 (S.B. No. 1082, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 400 returning S.B. No. 1082, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Aki, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1082, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 401 (S.B. No. 1092, S.D. 1, H.D. 2):

By unanimous consent, Hse. Com. No. 401 returning S.B. No. 1092, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1092, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was

deferred until Friday, April 8, 1983.

House Communication No. 402 (S.B. No. 1105, H.D. 1):

By unanimous consent, Hse. Com. No. 402 returning S.B. No. 1105, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Uwaine, seconded by Senator Yamasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1105, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 403 (S.B. No. 1122, S.D. 2, H.D. 2):

By unanimous consent, Hse. Com. No. 403 returning S.B. No. 1122, S.D. 2, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Yamasaki, seconded by Senator Solomon and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1122, S.D. 2, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 404 (S.B. No. 1186, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 404 returning S.B. No. 1186, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1186, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 405 (S.B. No. 1187):

By unanimous consent, Hse. Com. No. 405 returning S.B. No. 1187, which passed Third Reading in the House of Representatives on April 4, 1983, was placed on file.

House Communication No. 406 (S.B. No. 1247, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 406 returning S.B. No. 1247, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Uwaine, seconded by Senator Yamasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1247, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 407 (S.B. No. 1254, H.D. 1):

By unanimous consent, Hse. Com. No. 407 returning S.B. No. 1254, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Holt, seconded by Senator Uwaine and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1254, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 408 (S.B. No. 1279, S.D. 2, H.D. 2):

By unanimous consent, Hse. Com. No. 408 returning S.B. No. 1279, S.D. 2, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Yamasaki, seconded by Senator Chang and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1279, S.D. 2, and

requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

House Communication No. 409 (S.B. No. 1288, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 409 returning S.B. No. 1288, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

Senator Cobb then moved that the Senate agree to the amendments proposed by the House to S.B. No. 1288, S.D. 1, seconded by Senator Chang.

Senator Cobb explained: "Mr. President, this was a good bill when it left the Senate. The House strengthened it even further, in terms of the enforcement capabilities of the Boxing Commission. We find those changes perfectly acceptable."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1288, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 1288, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOXING."

House Communication No. 410 (S.B. No. 1292, S.D. 2, H.D. 1):

By unanimous consent, Hse. Com. No. 410 returning S.B. No. 1292, S.D. 2, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

Senator Yamasaki then moved that the Senate agree to the amendments proposed by the House to S.B. No. 1292, S.D. 2, seconded by Senator Chang.

Senator Yamasaki then explained that "the House changed the fiscal year to '82-'83, so the lapsing date was changed to June 30, 1983."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1292, S.D. 2, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given

on the Final Reading of S.B. No. 1292, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT OF THE HOLO HOLO CASES."

House Communication No. 411 (S.B. No. 1294, S.D. 1, H.D. 1):

By unanimous consent, Hse. Com. No. 411 returning S.B. No. 1294, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

Senator Yamasaki then moved that the Senate agree to the amendments proposed by the House to S.B. No. 1294, S.D. 1, seconded by Senator B. Kobayashi.

Senator Yamasaki explained that "the House amendments avoid 'double-dipping.' Briefly, Mr. President, the House amendment will not allow neighbor island Senators to receive another per diem while in session, if he travels to another island."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1294, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 1294, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALLOWANCES FOR LEGISLATORS."

House Communication No. 412 (S.B. No. 1338, S.D. 2, H.D. 2):

By unanimous consent, Hse. Com. No. 412 returning S.B. No. 1338, S.D. 2, which passed Third Reading in the House of Representatives on April 4, 1983, in an amended form, was placed on file.

On motion by Senator Cobb, seconded by Senator Chang and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1338, S.D. 2, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Friday, April 8, 1983.

Senate Bill No. 133, S.D. 1 (H.D. 1):

On motion by Senator Chang, seconded by Senator Hagino and

carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 133, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was

deferred until Friday, April 8, 1983.

ADJOURNMENT

At 4:55 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, April 8, 1983.

FIFTIETH DAY

Friday, April 8, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Father Frank Diffley, Associate Pastor of St. John's Catholic Church in Kalihi, after which the Roll was called showing all Senators present with the exception of Senator Young, who was excused.

The Chair announced that he had read and approved the Journal of the Forty-Ninth Day.

At this time, Senator Kuroda introduced a group of students from Campbell High School, accompanied by their teacher, Mr. John Kitabayashi.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 274) advising the Senate of the withdrawal of the nomination to the Board of Taxation, Fourth Taxation District, dated March 18, 1983, of Wallace Y. Otsuka, term to expire December 31, 1986, under Gov. Msg. No. 253, was read by the Clerk and was placed on file.

In compliance with Gov. Msg. No. 274, the nomination listed under Gov. Msg. No. 253 was returned.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 74 to 78) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 74), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE RAMIFICATIONS OF RELOCATING THE WEIGHTS AND MEASURES FUNCTION FROM THE DEPARTMENT OF AGRICULTURE TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was offered by Senators Cobb, Chang, Uwaine, B. Kobayashi, Soares, Ajifu, Hagino, Toguchi, A. Kobayashi and Solomon.

By unanimous consent, S.C.R. No. 74 was referred jointly to the Committee on Agriculture and the Committee on Consumer Protection and Commerce.

A concurrent resolution (S.C.R.

No. 75), entitled: "SENATE CONCURRENT RESOLUTION URGING COOPERATIVE EFFORTS BY THE APPROPRIATE STATE BODIES TO ESTABLISH COTERMINOUS BOUNDARIES OF CENSUS TRACTS AND STATE LEGISLATIVE DISTRICTS," was offered by Senators Cobb, Uwaine, Chang, B. Kobayashi, Soares, Ajifu, Toguchi, A. Kobayashi and Solomon.

By unanimous consent, S.C.R. No. 75 was referred to the Committee on Judiciary.

A concurrent resolution (S.C.R. No. 76), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN ADVISORY TASK FORCE," was offered by Senators Kuroda, B. Kobayashi, Machida, Mizuguchi, Carpenter, Aki and Kawasaki.

By unanimous consent, S.C.R. No. 76 was referred to the Committee on Tourism.

A concurrent resolution (S.C.R. No. 77), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE EQUALITY OF WOMEN," was offered by Senators A. Kobayashi, Uwaine, Mizuguchi, Kuroda, Machida, Soares, Henderson, George, Ajifu, Young, Cobb, Yamasaki, Fernandes Salling, Aki, Carpenter and Chang.

By unanimous consent, S.C.R. No. 77 was referred to the Committee on Judiciary.

A concurrent resolution (S.C.R. No. 78), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW AND THE DEVELOPMENT OF LEGISLATION REGARDING THE STATE'S PROCEDURES FOR INVOLUNTARY COMMITMENT TO PSYCHIATRIC CARE FACILITIES," was offered by Senators Carpenter, Mizuguchi, Toguchi, Fernandes Salling, Solomon, B. Kobayashi, Uwaine, Machida, Chang and Cobb.

By unanimous consent, S.C.R. No. 78 was referred jointly to the Committee on Judiciary and the Committee on Health.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 95 to 102) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 95), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE RAMIFICATIONS OF RELOCATING THE WEIGHTS AND MEASURES FUNCTION FROM THE DEPARTMENT OF AGRICULTURE TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was offered by Senators Cobb, Chang, Uwaine, B. Kobayashi, Soares, Ajifu, Holt, Hagino, Toguchi, A. Kobayashi and Solomon.

By unanimous consent, S.R. No. 95 was referred jointly to the Committee on Agriculture and the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management.

A resolution (S.R. No. 96), entitled: "SENATE RESOLUTION URGING COOPERATIVE EFFORTS BY THE APPROPRIATE STATE BODIES TO ESTABLISH COTERMINOUS BOUNDARIES OF CENSUS TRACTS AND STATE LEGISLATIVE DISTRICTS," was offered by Senators Cobb, Uwaine, Chang, B. Kobayashi, Soares, Ajifu, Holt, Toguchi, A. Kobayashi and Solomon.

By unanimous consent, S.R. No. 96 was referred to the Committee on Judiciary.

A resolution (S.R. No. 97), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ASSESS THE NEED FOR REGULATING SUNTANNING ESTABLISHMENTS IN HAWAII," was offered by Senators Machida, George, Young, B. Kobayashi and Cayetano.

By unanimous consent, S.R. No. 97 was referred to the Committee on Health.

A resolution (S.R. No. 98), entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF AN ADVISORY TASK FORCE," was offered by Senators Kuroda, B. Kobayashi, Machida, Mizuguchi, Carpenter, Aki and Kawasaki.

By unanimous consent, S.R. No. 98 was referred to the Committee on Tourism.

A resolution (S.R. No. 99), entitled: "SENATE RESOLUTION RELATING TO THE EQUALITY OF WOMEN," was offered by Senators A. Kobayashi, Uwaine, Mizuguchi, Kuroda, Machida, Soares, Henderson, George, Ajifu, Young, Cobb, Yamasaki, Fernandes Salling, Aki, Carpenter and Chang.

By unanimous consent, S.R. No. 99 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 100), entitled: "SENATE RESOLUTION REQUESTING THE HAWAII HOUSING AUTHORITY TO PREPARE A STATUS REPORT ON THE WAIHAOLE VALLEY PROJECT," was offered by Senator Young.

By unanimous consent, S.R. No. 100 was referred to the Committee on Housing and Urban Development.

A resolution (S.R. No. 101), entitled: "SENATE RESOLUTION REQUESTING THE HAWAII SMALL BUSINESS ADVISORY COMMITTEE AND THE STATE ATTORNEY GENERAL'S OFFICE TO JOINTLY DEVELOP EQUAL ACCESS TO JUSTICE LEGISLATION FOR THE STATE OF HAWAII," was offered by Senators Carpenter, Abercrombie, Mizuguchi, Toguchi, Fernandes Salling, Solomon, B. Kobayashi, Uwaine, Machida, Chang and Cobb.

By unanimous consent, S.R. No. 101 was referred to the Committee on Judiciary.

A resolution (S.R. No. 102), entitled: "SENATE RESOLUTION RECOGNIZING THE PLIGHT OF HAWAII'S FARMERS AND REQUESTING LENDING INSTITUTIONS TO IMPLEMENT MEASURES TO DEFER OR REDUCE THE REPAYMENT AMOUNTS OF LOANS MADE TO CERTAIN FARMERS," was offered by Senators Carpenter, Chang, Mizuguchi, Toguchi, Fernandes Salling, Solomon, B. Kobayashi, Uwaine and Machida.

By unanimous consent, S.R. No. 102 was referred to the Committee on Agriculture.

STANDING COMMITTEE REPORTS

Senator Cobb, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 864) informing the Senate that Senate Concurrent Resolution Nos. 72 to 78, Senate Resolution Nos. 91 to 102 and Standing Committee Report Nos. 863 and 865 have been printed and have been distributed to the members of the Senate.

On motion by Senator Cobb, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Uwaine, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 865) recommending that the Senate advise and consent to the nominations of the following:

Kenneth I. Craw, to the Commission on Transportation, in accordance with Governor's Message No. 147; and

Eric K. Honma, to the Commission on Transportation, in accordance with Governor's Message No. 249.

By unanimous consent, action on Stand. Com. Rep. No. 865 and Gov. Msg. Nos. 147 and 249 was deferred until Monday, April 11, 1983.

ORDER OF THE DAY

MATTERS DEFERRED FROM APRIL 7, 1983

THIRD READING

House Bill No. 1531, H.D. 1:

By unanimous consent, action on H.B. No. 1531, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE," was deferred until Friday, April 15, 1983.

House Bill No. 703, H.D. 1:

By unanimous consent, action on H.B. No. 703, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATE ENERGY," was deferred until Monday, April 11, 1983.

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following referral of concurrent resolutions that were offered on Thursday, April 7, 1983:

S.C.R. Referred to:

No. 72 Committee on Judiciary

No. 73 Committee on Government
Operations and County Relations

REFERRAL OF SENATE RESOLUTIONS

The President then made the following referral of resolutions that were offered on Thursday, April 7, 1983:

S.R. Referred to:

No. 91 Committee on Judiciary

No. 92 Committee on Government
Operations and County Relations

No. 93 Committee on Higher
Education

No. 94 Committee on Housing and
Urban Development

ADVISE AND CONSENT

Standing Committee Report No. 862
(Gov. Msg. Nos. 115, 156 and 187):

Senator Hagino moved that Stand. Com. Rep. No. 862 be received and placed on file, seconded by Senator Kuroda and carried.

Senator Hagino then moved that the Senate advise and consent to the nomination of Robert H. Ishimoto to the Civil Defense Advisory Council, term to expire December 31, 1986, seconded by Senator Kuroda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Young).

Senator Hagino then moved that the Senate advise and consent to the nomination of Alexis T. Lum as Adjutant General, term to expire December 1, 1986, seconded by Senator Kuroda.

At this time, Senator Hagino rose and stated:

"Mr. President, I'd just like to say a few words on behalf of General Lum, who is up for confirmation today.

"General Alexis Lum's military career started shortly after his graduation from Roosevelt High School in 1945, when he was drafted into the military. General Lum has had a very colorful military history, which includes a year's service in Vietnam as the executive officer of a combat engineer battalion.

"Presently, he is a Brigadier General, assigned as the Assistant Adjutant General and Commander of the Hawaii Army National Guard. The past year, 1982, has given the General many opportunities for on-the-job training for his new position that includes being the head of the State Civil Defense. He has had dramatic exposure to such situations as Hurricane Iwa, the reentry of Cosmos 1402, high surf conditions, volcanic eruptions and

numerous brush fires.

"I'm looking forward to working with the General during the interim on ways to improve the capabilities of the State Civil Defense System. It is a good system that needs a little updating. In closing, I would urge all of my fellow Senators to vote favorably for General Lum's confirmation as Adjutant General of the State of Hawaii."

Senator Cobb then rose and stated:

"Mr. President, it's always a pleasure to see a situation where a draftee can become a general officer. Thank you."

Senator Soares stated:

"Mr. President, I'd like to rise to say a few words on behalf of General Lum and my words will come from outside of the military because when I wanted to be drafted, I said I only wanted to be a captain. They wouldn't draft me, so I didn't go. I also wanted to be the first Portuguese general this side of the Rockies, but they wouldn't let me have that either.

"Mr. President, I have known General Lum and his wife for many years. They are my constituents. I know them as very, very close friends, and wonderful people. I'm so very, very proud that we have this nomination before us this morning because there is no finer person that I can think of for this responsibility than General Lum.

"He and Momi are just beyond description in terms of being neighbors, friends and school chums that we've enjoyed over the years. I happily welcome this nomination and I urge all of you to confirm General Alexis Lum this morning. Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused 1 (Young).

Senator Hagino then moved that the Senate advise and consent to the nomination of Roland D. Sagum to the Civil Defense Advisory Council, term to expire December 31, 1986, seconded by Senator Kuroda.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused 1 (Young).

Standing Committee Report No. 863 (Gov. Msg. No. 220):

Senator Cobb moved that Stand. Com. Rep. No. 863 be received and placed on file, seconded by Senator Chang and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Mary G.F. Bitterman, Ph.D. as Director of Commerce and Consumer Affairs, term to expire December 1, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Young).

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 o'clock a.m.

At this time, Senator Hagino rose and stated:

"Mr. President, I would like to, if I may, make a late introduction. Mr. President, I'd like to introduce to the honorable body, the new Adjutant General of the State of Hawaii, General Alexis Lum. He is accompanied this morning by his wife Momi."

Senator Kuroda then rose and stated:

"Mr. President, if I may have the privilege of speaking after the vote has been cast, I just wanted to say how proud I am that I had the opportunity to serve in the Army as an enlisted man with General Lum. We were both in the Army in 1945, went to basic training together and later, we found ourselves at the University of Hawaii in ROTC, being commissioned the same year. And, as I said in the past, Mr. President, only special people become Generals and Presidents. Congratulations, General Lum."

Senator Carpenter then rose and stated:

"Mr. President, I would be remiss as a Roosevelt graduate in not standing up and extending my best aloha

to the General who is also a Roosevelt grad. Public School No. 69 has indeed risen to some of the highest glories in this state. Thank you."

Senator Kawasaki then rose and stated:

"Mr. President, I'd like to rise on a point of personal privilege. If I may comment on the confirmation that was just concluded on Mary Bitterman for the Department that she is the head of, I just wonder if we should not undo our actions taken and have the Governor withdraw her name for that position and instead, nominate her as Director of the Hawaiian Homes Commission. That should take care of a lot of problems."

RECONSIDERATION OF ACTION TAKEN

Senator Yamasaki moved that the Senate reconsider its action taken on April 7, 1983 on S.B. No. 608, S.D. 1, H.D. 1, seconded by Senator Cobb and carried.

Senator Yamasaki then stated as follows:

"Mr. President, the amendment proposed by the House deletes the \$2 million appropriation that we had in the bill, which was already appropriated in the previous year, last year, and the funds have already been allocated by Budget and Finance, so there's no need for an additional appropriation. Therefore, we agree with the House for just a token \$1 appropriation that is contained in the House draft."

The motion to reconsider action was put by the Chair and carried.

On motion by Senator Yamasaki, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 608, S.D. 1, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 608, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL ASSISTANCE."

Senator Yamasaki moved that the Senate reconsider its action on April 7, 1983 on S.B. No. 965, S.D. 2, H.D. 1, seconded by Senator Cobb and carried.

Senator Yamasaki then stated:

"Mr. President, the House amend-

ments proposed to the Senate bill just clears the intent of the bill by allowing the Hawaii Housing Authority to allow for additional expansion of the provisions of the bill so that other qualified organizations may participate in the benefits of that section of the bill."

The motion to reconsider action was put by the Chair and carried.

"On motion by Senator Yamasaki, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 965, S.D. 2, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 965, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING."

At 11:55 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:57 o'clock a.m.

At this time the President stated:

"The Chair would like to announce that a preliminary list of conferees will be sent to your offices this afternoon so everyone will be aware of who is on various conference committees."

APPOINTMENT OF CONFEREES

Senate Bill No. 30, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 30, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, Cobb and Ajifu as Managers on the part of the Senate at such conference.

Senate Bill No. 34, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 34, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, Uwayne and Yamasaki as Managers on the part of the Senate at such conference.

Senate Bill No. 53, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No.

53, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, Chang, B. Kobayashi and Henderson as Managers on the part of the Senate at such conference.

Senate Bill No. 42, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 42, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, Chang, Uwaine and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 55, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 55, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, Chang, B. Kobayashi and Henderson as Managers on the part of the Senate at such conference.

Senate Bill No. 176, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 176, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, Chang, Uwaine and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 179, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 179, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, Chang and Henderson as Managers on the part of the Senate at such conference.

Senate Bill No. 180, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 180, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, B. Kobayashi, Yamasaki and Soares as

Managers on the part of the Senate at such conference.

Senate Bill No. 181, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 181, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, Chang, Uwaine and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 184, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 184, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, Holt, Yamasaki and Henderson as Managers on the part of the Senate at such conference.

Senate Bill No. 191, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 191, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, Chang, B. Kobayashi and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 193, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 193, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, Holt, Uwaine and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 236, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 236, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Machida, Chairman, Young and B. Kobayashi as Managers on the part of the Senate at such

conference.

Senate Bill No. 247, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 247, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, Chang, Uwaine and Henderson as Managers on the part of the Senate at such conference.

Senate Bill No. 324, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 324, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hagino, Chairman, Solomon, Chang and Ajifu as Managers on the part of the Senate at such conference.

Senate Bill No. 370, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 370, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, Hagino and Ajifu as Managers on the part of the Senate at such conference.

Senate Bill No. 418, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 418, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Uwaine, Chairman, Solomon and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 450, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 450, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, Uwaine and Henderson as Managers on the part of the Senate at such conference.

Senate Bill No. 555, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 555, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, Cobb and Ajifu as Managers on the part of the Senate at such conference.

Senate Bill No. 669, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 669, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Machida, Chairman, Young and B. Kobayashi as Managers on the part of the Senate at such conference.

Senate Bill No. 711, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 711, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, Chang, Uwaine and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 735, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 735, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, B. Kobayashi, Uwaine and Henderson as Managers on the part of the Senate at such conference.

Senate Bill No. 742, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 742, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Uwaine, Chairman, Kuroda and George as Managers on the part of the Senate at such conference.

Senate Bill No. 787, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No.

787, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, Chang, B. Kobayashi and Henderson as Managers on the part of the Senate at such conference.

Senate Bill No. 800, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 800, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, Holt and Henderson as Managers on the part of the Senate at such conference.

Senate Bill No. 805, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 805, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, Chang, Uwaine and Henderson as Managers on the part of the Senate at such conference.

Senate Bill No. 834, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 834, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, Mizuguchi and A. Kobayashi as Managers on the part of the Senate at such conference.

Senate Bill No. 993 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 993, and the request for a conference on the subject matter thereof, the President appointed Senators Hagino, Chairman, Chang, Solomon and Ajifu as Managers on the part of the Senate at such conference.

Senate Bill No. 994, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 994, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, Chang,

Machida and George as Managers on the part of the Senate at such conference.

Senate Bill No. 1003, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1003, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Young, Chairman, Cobb and Ajifu as Managers on the part of the Senate at such conference.

Senate Bill No. 1008 (H.D. 1):

By unanimous consent, the appointment of Managers on the part of the Senate at such conference was deferred until Monday, April 11, 1983.

Senate Bill No. 1050 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1050, and the request for a conference on the subject matter thereof, the President appointed Senators Solomon, Chairman, Mizuguchi and Ajifu as Managers on the part of the Senate at such conference.

Senate Bill No. 1062, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1062, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, Aki and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 1105 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1105, and the request for a conference on the subject matter thereof, the President appointed Senators Uwaine, Chairman, Aki and George as Managers on the part of the Senate at such conference.

Senate Bill No. 1122, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1122, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed

Senators Yamasaki, Chairman, Solomon and A. Kobayashi as Managers on the part of the Senate at such conference.

Senate Bill No. 1247, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1247, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Uwaine, Chairman, Yamasaki and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 1254 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1254, and the request for a conference on the subject matter thereof, the President appointed Senators Holt, Chairman, Mizuguchi, Solomon and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 1279, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1279, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, Chang and A. Kobayashi as Managers on the part of the Senate at such conference.

At this time, Senator Kawasaki then rose and stated:

"Mr. President, I rise on a point of personal privilege. I trust that the members of this body are aware of poll taken last night by Channel 4 on what the public feels about the sales tax. I don't exactly know the numbers but it went something like 67 for and 871 against. I just thought I'd bring this information before this body."

Senator Cobb then noted:

"Nothing like beating a dead horse to death, Mr. President."

Senator Abercrombie then rose and stated:

"That last remark just brought me out of my stupor. I just wondered if the previous speaker is indicating that the bill that we labored so mightily over to the point of semi-stillbornness has now been pronounced dead before it's even been conferred on. I trust that was not the implication."

Senator Cobb then replied:

"Delighted to respond, Mr. President. I've heard megareports on the death of the tax bill rather than the budget, from the House, from the Governor, from virtually every member of the House leadership, from the media and from a whole variety of people. I don't know how many times you can kill a bill, but we set a record this session."

Senator Abercrombie then stated:

"Under those circumstances, I think we ought to start detaching the committee reports from the bills a lot more quickly than we have."

Senator Cayetano then stated:

"Mr. President, is that an admission that the Senate is no longer going to push for the half-percent tax? If so, if we concede that it's dead, maybe we should rework the budget."

Senator Cobb then replied:

"Correction, Mr. President, just an observation, based on what I've seen in the comments in the House, as well as the poll that was referred to by the Senator behind me."

ADJOURNMENT

At 12:05 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, April 11, 1983.

FIFTY-FIRST DAY

Monday, April 11, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Chaplain George M. Clifford of the United States Navy, after which the Roll was called showing all Senators present with the exception of Senators George and Machida who were excused.

The Chair announced that he had read and approved the Journal of the Fiftieth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 275 and 276) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 275) transmitting copies of a report entitled, "Report to the Governor, 1981-82," prepared by the Department of Land and Natural Resources, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 276), dated February 16, 1983, requesting immediate passage of Senate Bill No. 1292 (1983), relating to the settlement of the Holo Holo cases, was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 434 to 448), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 434) transmitting House Concurrent Resolution No. 32, H.D. 1, which was adopted by the House of Representatives on April 8, 1983, was placed on file.

By unanimous consent, H.C.R. No. 32, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING PRESIDENT RONALD REAGAN, SECRETARY OF STATE GEORGE P. SCHULTZ, AND THE UNITED STATES CONGRESS TO WORK TOWARD THE BANNING OF ALL FORMS OF NUCLEAR WEAPONS TESTING IN THE PACIFIC BASIN," was referred to the Committee on Federal Relations.

A communication from the House

(Hse. Com. No. 435) transmitting House Concurrent Resolution No. 33, which was adopted by the House of Representatives on April 8, 1983, was read by the Clerk and was placed on file.

By unanimous consent, H.C.R. No. 33, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A BAN ON THE DISPOSAL OF NUCLEAR WASTE MATERIALS IN THE PACIFIC BASIN," was referred to the Committee on Federal Relations.

A communication from the House (Hse. Com. No. 436), returning Senate Bill No. 89, which passed Third Reading in the House of Representatives on April 8, 1983, was placed on file.

A communication from the House (Hse. Com. No. 437), returning Senate Bill No. 502, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1983, was placed on file.

A communication from the House (Hse. Com. No. 438), returning Senate Bill No. 519, which passed Third Reading in the House of Representatives on April 8, 1983, was placed on file.

A communication from the House (Hse. Com. No. 439), returning Senate Bill No. 556, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1983, was placed on file.

A communication from the House (Hse. Com. No. 440), returning Senate Bill No. 605, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1983, was placed on file.

A communication from the House (Hse. Com. No. 441), returning Senate Bill No. 650, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1983, was placed on file.

A communication from the House (Hse. Com. No. 442), returning Senate Bill No. 810, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1983, was placed on file.

A communication from the House (Hse. Com. No. 443), returning Senate Bill No. 822, S.D. 1, which

passed Third Reading in the House of Representatives on April 8, 1983, was placed on file.

A communication from the House (Hse. Com. No. 444), returning Senate Bill No. 824, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 1983, was placed on file.

A communication from the House (Hse. Com. No. 445), returning Senate Bill No. 833, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1983, was placed on file.

A communication from the House (Hse. Com. No. 446), returning Senate Bill No. 839, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 1983, was placed on file.

A communication from the House (Hse. Com. No. 447), returning Senate Bill No. 1175, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1983, was placed on file.

A communication from the House (Hse. Com. No. 448), returning Senate Bill No. 1251, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1983, was placed on file.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 79 to 84) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 79), entitled: "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES, THE SECRETARY OF THE INTERIOR, THE SECRETARY OF DEFENSE AND ALL OTHERS CONCERNED TO DECLARE A MORATORIUM ON THE TRANSFER OF LANDS IN HAWAII," was offered by Senators Fernandes Salling, Aki, Holt, Machida, Mizuguchi, George, Toguchi and Young.

By unanimous consent, S.C.R. No. 79 was referred to the Committee on Hawaiian Programs.

A concurrent resolution (S.C.R. No. 80), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A REVIEW OF THE DEPARTMENT OF HAWAIIAN HOME LANDS," was offered by

Senators Fernandes Salling, Toguchi, George, Young and Hagino.

By unanimous consent, S.C.R. No. 80 was referred to the Committee on Hawaiian Programs.

A concurrent resolution (S.C.R. No. 81), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUDGET AND FINANCE TO INCLUDE STATE GRANTS-IN-AID/PURCHASE OF SERVICE FUNDS FOR SPECIAL TRANSPORTATION FOR THE KUPUNA (ELDERLY), DISABLED PERSONS, AND DISADVANTAGED CHILDREN ON EACH OF OUR NEIGHBOR ISLANDS WITHIN THE STATE BUDGET AS A LINE ITEM," was offered by Senators Solomon, Young, Ajifu, B. Kobayashi, Hagino, Mizuguchi, Carpenter, Toguchi and Holt.

By unanimous consent, S.C.R. No. 81 was referred to the Committee on Youth and Elderly Affairs.

A concurrent resolution (S.C.R. No. 82), entitled: "SENATE CONCURRENT RESOLUTION URGING THE ENVIRONMENTAL PROTECTION AGENCY AND THE HAWAII STATE DEPARTMENT OF HEALTH TO RELAX WATER QUALITY STANDARDS FOR SUGAR PRODUCERS ON HAWAII'S HILO-HAMAKUA COAST," was offered by Senators Solomon, Young, Ajifu, B. Kobayashi, Hagino, Mizuguchi, Holt, Toguchi and Carpenter.

By unanimous consent, S.C.R. No. 82 was referred to the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 83), entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE NEED FOR MORE ON-CAMPUS HOUSING FOR THE STUDENTS OF THE UNIVERSITY OF HAWAII," was offered by Senators Solomon, Young, Ajifu, B. Kobayashi, Hagino, Mizuguchi, Carpenter and Holt.

By unanimous consent, S.C.R. No. 83 was referred to the Committee on Higher Education.

A concurrent resolution (S.C.R. No. 84), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE EXECUTIVE OFFICE ON AGING TO CONDUCT A STUDY TO DETERMINE HOW ALTERNATE LIVING AND CARE ARRANGEMENTS CAN BE DEVELOPED FOR OLDER PERSONS IN KONA AND KOHALA, HAWAII," was offered by Senators Solomon, Young, Ajifu, B.

Kobayashi, Hagino, Mizuguchi, Holt, Toguchi and Carpenter.

By unanimous consent, S.C.R. No. 84 was referred to the Committee on Youth and Elderly Affairs.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 103 to 108) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 103), entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO DEFER ANY PROPOSED TUITION INCREASE UNTIL FURTHER EVALUATIONS ARE MADE," was offered by Senator Abercrombie.

By unanimous consent, S.R. No. 103 was referred to the Committee on Higher Education.

A resolution (S.R. No. 104), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUDGET AND FINANCE TO ESTABLISH A COMPREHENSIVE FINANCIAL ACCOUNTING SYSTEM FOR THE DEPARTMENT OF HAWAIIAN HOME LANDS," was offered by Senators Fernandes Salling, George, Aki, Holt, Toguchi, Young and Hagino.

By unanimous consent, S.R. No. 104 was referred to the Committee on Hawaiian Programs.

A resolution (S.R. No. 105), entitled: "SENATE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS, THE DEPARTMENT OF HAWAIIAN HOME LANDS AND OTHER APPROPRIATE AGENCIES TO ENTER INTO A JOINT MEMORANDUM OF AGREEMENT," was offered by Senators Fernandes Salling, Machida, Toguchi, Holt, Young, George, Aki and Mizuguchi.

By unanimous consent, S.R. No. 105 was referred to the Committee on Hawaiian Programs.

A resolution (S.R. No. 106), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUDGET AND FINANCE TO INCLUDE STATE GRANTS-IN-AID/PURCHASE OF SERVICE FUNDS FOR SPECIAL TRANSPORTATION FOR THE KUPUNA (ELDERLY), DISABLED PERSONS, AND DISADVANTAGED CHILDREN ON EACH OF OUR NEIGHBOR ISLANDS WITHIN THE STATE BUDGET AS A LINE ITEM," was offered by Senators

Solomon, Young, Ajifu, B. Kobayashi, Hagino, Mizuguchi, Holt, Toguchi and Carpenter.

By unanimous consent, S.R. No. 106 was referred to the Committee on Youth and Elderly Affairs.

A resolution (S.R. No. 107), entitled: "SENATE RESOLUTION URGING THE ENVIRONMENTAL PROTECTION AGENCY AND THE HAWAII STATE DEPARTMENT OF HEALTH TO RELAX WATER QUALITY STANDARDS FOR SUGAR PRODUCERS ON HAWAII'S HILO-HAMAKUA COAST," was offered by Senators Solomon, Young, Ajifu, B. Kobayashi, Hagino, Mizuguchi, Carpenter, Toguchi and Holt.

By unanimous consent, S.R. No. 107 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 108), entitled: "SENATE RESOLUTION REQUESTING HOSPITALS AND OTHER MEDICAL FACILITIES IN HAWAII TO RETAIN MEDICAL RECORDS," was offered by Senator B. Kobayashi.

By unanimous consent, S.R. No. 108 was referred to the Committee on Health.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 866) informing the Senate that Senate Concurrent Resolution Nos. 79 to 84, Senate Resolution Nos. 103 to 108, and Standing Committee Report Nos. 867 to 870 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 867) recommending that the Senate advise and consent to the nominations of the following:

Phyllis N.T. Shea to the Board of Public Accountancy, in accordance with Gov. Msg. No. 83;

David Cheever and Howard R. Hanada to the Board of Public Accountancy, in accordance with Gov. Msg. No. 163;

Mabel C.S. Chang to the Board of

Acupuncture, in accordance with Gov. Msg. No. 84;

Mike M. Hashimoto to the Board of Acupuncture, in accordance with Gov. Msg. No. 164;

Victor J. Elizalde to the Board of Barbers, in accordance with Gov. Msg. No. 258;

Robert M. Lee to the Boxing Commission, in accordance with Gov. Msg. No. 85;

George Kaahanui, Jr., to the Boxing Commission, in accordance with Gov. Msg. No. 165;

Henry Joseph Ellis, Jr., and Mitsuru Mitchell Ouye to the CATV Advisory Committee, in accordance with Gov. Msg. No. 166;

Nathalie Davis Tucker, D.C., to the Board of Chiropractic Examiners, in accordance with Gov. Msg. No. 259;

Harry M. Ushijima and Alan G. Meyers, Sr., to the Contractors License Board, in accordance with Gov. Msg. No. 86;

Wilbert S. Toma to the Contractors License Board, in accordance with Gov. Msg. No. 167;

Edna H. Kano to the Board of Cosmetology, in accordance with Gov. Msg. No. 168;

Milton W.Y. Lum, Helen Smith and Leslie Yaka to the Credit Union Review Board, in accordance with Gov. Msg. No. 169; and

George A. Kanna, D.D.S., and Lawrence K.W. Tseu, D.D.S., to the Board of Dental Examiners, in accordance with Gov. Msg. No. 221.

By unanimous consent, action on Stand. Com. Rep. No. 867 and Gov. Msg. Nos. 83, 163, 84, 164, 258, 85, 165, 166, 259, 86, 167, 168, 169 and 221 was deferred until Tuesday, April 12, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 868) recommending that the Senate advise and consent to the nominations of the following:

George K. Hall to the Board of Electricians and Plumbers, in accordance with Gov. Msg. No. 87;

Bernard T. Miura and Leo Polo,

Jr., to the Board of Electricians and Plumbers, in accordance with Gov. Msg. No. 170;

Glenn Kenji Shibata to the Elevator Mechanics Licensing Board, in accordance with Gov. Msg. No. 222;

Walter K. Tagawa to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, in accordance with Gov. Msg. No. 88;

George S. Yoshimura and Mary Ann Barnard to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, in accordance with Gov. Msg. No. 223;

Robert H. McKay to the Board of Hearing Aid Dealers and Fitters, in accordance with Gov. Msg. No. 89;

Edson Hoo to the Board of Massage, in accordance with Gov. Msg. No. 90;

Samuel Haraguchi, M.D., to the Board of Medical Examiners, in accordance with Gov. Msg. No. 91;

Merne C. Farrell, Henry T. Oyama, M.D., and Livingston Wong, M.D., to the Board of Medical Examiners, in accordance with Gov. Msg. No. 224;

Joseph Walsh Hanley and Shozo Sato to the Motor Vehicle Industry Licensing Board, in accordance with Gov. Msg. No. 171;

Raymond S.Y. Luke and Van H. Takemoto to the Motor Vehicle Repair Industry Board, in accordance with Gov. Msg. No. 172;

Claire R. Alfiler to the State Board of Nursing, in accordance with Gov. Msg. No. 92;

Adele D.S. Mitchell, Dorothy Ann Park and Violet L. Nakamura to the Board of Nursing, in accordance with Gov. Msg. No. 260;

Virginia S.K. Kam to the Board of Dispensing Opticians, in accordance with Gov. Msg. No. 93;

Lorraine Shirai and Ted H. Yamada to the Board of Dispensing Opticians, in accordance with Gov. Msg. No. 261;

Rod G. Bjordahl, D.O., to the Board of Osteopathic Examiners, in

accordance with Gov. Msg. No. 262;

Dewey W.K. Tom to the Board of Examiners in Optometry, in accordance with Gov. Msg. No. 173;

James E. DeMello to the Board of Pharmacy, in accordance with Gov. Msg. No. 94; and

Harold Yoshio Kawaguchi to the Board of Pharmacy, in accordance with Gov. Msg. No. 174.

By unanimous consent, action on Stand. Com. Rep. No. 868 and Gov. Msg. Nos. 87, 170, 222, 88, 223, 89, 90, 91, 224, 171, 172, 92, 260, 93, 261, 262, 173, 94 and 174 was deferred until Tuesday, April 12, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 869) recommending that the Senate advise and consent to the nominations of the following:

Roland M. Logan to the Board of Pilot Commissioners, in accordance with Gov. Msg. No. 225;

Craig Robinson to the Board of Certification for Practicing Psychologists, in accordance with Gov. Msg. No. 95;

Jane Hardy Jones, Ed.D., Joel Albert Dunston, and Faith Okihiro Lebb to the Board of Certification of Practicing Psychologists, in accordance with Gov. Msg. No. 175;

George A. Morris to the Real Estate Commission, in accordance with Gov. Msg. No. 96;

Yukio Takeya to the Real Estate Commission, in accordance with Gov. Msg. No. 226;

Dennis T. Sekine to the Board of Speech Pathology and Audiology, in accordance with Gov. Msg. No. 97;

Sandra Kay Harada to the Board of Speech Pathology and Audiology, in accordance with Gov. Msg. No. 98;

Stella Satake to the Board of Speech Pathology and Audiology, in accordance with Gov. Msg. No. 263;

John B. Beltrage, D.V.M., to the Board of Veterinary Examiners, in accordance with Gov. Msg. No. 99; and

Allen Y. Miyahara, D.V.M., and David Bard Mackay, D.V.M., to the

Board of Veterinary Examiners, in accordance with Gov. Msg. No. 176.

By unanimous consent, action on Stand. Com. Rep. No. 869 and Gov. Msg. Nos. 225, 95, 175, 96, 226, 97, 98, 263, 99, 176 was deferred until Tuesday, April 12, 1983.

Senator Uwaine for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 870) recommending that S.C.R. No. 41 be adopted.

On motion by Senator Uwaine, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.C.R. No. 41, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON IMPROVING AIR CARRIER SERVICE FOR MOVING DIVERSIFIED HAWAII AGRICULTURAL PRODUCTS," was adopted.

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:44 o'clock a.m.

ORDER OF THE DAY

FINAL READING

Senate Bill No. 6, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 6, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," was deferred until Monday, April 18, 1983.

Senate Bill No. 117, H.D. 1:

By unanimous consent, action on S.B. No. 117, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD," was deferred until Tuesday, April 12, 1983.

Senate Bill No. 177, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 177, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," was deferred until Tuesday, April 12, 1983.

Senate Bill No. 182, H.D. 1:

By unanimous consent, action on

S.B. No. 182, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DISPENSING OPTICIANS," was deferred until Tuesday, April 12, 1983.

Senate Bill No. 186, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 186, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE INVESTIGATORS AND GUARDS," was deferred until Tuesday, April 12, 1983.

Senate Bill No. 203, H.D. 1:

By unanimous consent, action on S.B. No. 203, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE FOR CHILDREN," was deferred until Tuesday, April 12, 1983.

Senate Bill No. 343, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 343, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES," was deferred until Tuesday, April 12, 1983.

Senate Bill No. 18, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 18, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAIR BUSINESS PRACTICES," was deferred until Tuesday, April 12, 1983.

Senate Bill No. 366, H.D. 1:

By unanimous consent, action on S.B. No. 366, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON TRANSPORTATION," was deferred until Tuesday, April 12, 1983.

Senate Bill No. 368, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 368, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," was deferred until Monday, April 18, 1983.

Senate Bill No. 507, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 507, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAGE AND HOUR LAW," was deferred until Tuesday, April 12, 1983.

Senate Bill No. 520, H.D. 1:

By unanimous consent, action on S.B. No. 520, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HOUSING AUTHORITY," was deferred until Tuesday, April 12, 1983.

Senate Bill No. 525, H.D. 1:

By unanimous consent, action on S.B. No. 525, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," was deferred until Tuesday, April 12, 1983.

Senate Bill No. 608, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 608, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL ASSISTANCE," was deferred until Monday, April 18, 1983.

Senate Bill No. 640, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 640, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS," was deferred until Tuesday, April 12, 1983.

Senate Bill No. 741, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 741, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTY VEHICULAR TAX REFUNDS; VEHICLES REMOVED FROM THE STATE; JUNKED VEHICLES; VEHICLES BROUGHT INTO THE STATE; EXEMPTIONS FOR STORED VEHICLE," was deferred until Tuesday, April 12, 1983.

Senate Bill No. 749, H.D. 1:

By unanimous consent, action on S.B. No. 749, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was deferred until Tuesday, April 12, 1983.

Senate Bill No. 757, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 757, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," was deferred until Tuesday, April 12, 1983.

Senate Bill No. 965, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 965, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO HOUSING," was deferred until Tuesday, April 12, 1983.

Senate Bill No. 977, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 977, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," was deferred until Tuesday, April 12, 1983.

Senate Bill No. 1057, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1057, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER EDUCATION INSTRUCTORS," was deferred until Tuesday, April 12, 1983.

Senate Bill No. 1288, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1288, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOXING," was deferred until Tuesday, April 12, 1983.

Senate Bill No. 1292, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1292, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT OF THE HOLO HOLO CASES," was deferred until Tuesday, April 12, 1983.

Senate Bill No. 1294, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1294, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALLOWANCES FOR LEGISLATORS," was deferred until Tuesday, April 12, 1983.

ADVISE AND CONSENT

Standing Committee Report No. 865 (Gov. Msg. Nos. 147 and 249):

Senator Uwaine moved that Stand. Com. Rep. No. 865 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Uwaine then moved that the Senate advise and consent to the nomination of Kenneth I. Craw, to the Commission on Transportation, term to expire December 31, 1986, seconded by Senator Yamasaki.

The motion was put by the Chair

and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (George and Machida).

Senator Uwaine then moved that the Senate advise and consent to the nomination of Eric K. Honma to the Commission on Transportation, term to expire December 31, 1986, seconded by Senator Yamasaki.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (George and Machida).

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55 o'clock a.m.

THIRD READING

House Bill No. 703, H.D. 1:

By unanimous consent, H.B. No. 703, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATE ENERGY," was recommitted to the Committee on Economic Development.

APPOINTMENT OF CONFEREES

Senate Bill No. 4, S.D. 1 (H.D. 1):

In accordance with the disagreement by the Senate to the amendments proposed by the House to S.B. No. 4, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, B. Kobayashi, Aki, Chang, Mizuguchi, Hagino, Holt, Solomon, Uwaine, Young, Ajifu, Henderson and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 362, S.D. 1 (H.D. 1):

In accordance with the disagreement by the Senate to the amendments proposed by the House to S.B. No. 362, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chang, Chairman, Hagino and A. Kobayashi as Managers on the part of the Senate at such conference.

House Bill No. 393, H.D. 2 (S.D. 2):

In accordance with the disagreement

by the House to the amendments proposed by the Senate to H.B. No. 393, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, Hagino and Ajifu as Managers on the part of the Senate at such conference.

Senate Bill No. 656, S.D. 1 (H.D. 2):

In accordance with the disagreement by the Senate to the amendments proposed by the House to S.B. No. 656, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chang, Chairman, Hagino and A. Kobayashi as Managers on the part of the Senate at such conference.

Senate Bill No. 756 (H.D. 1):

In accordance with the disagreement by the Senate to the amendments proposed by the House to S.B. No. 756, and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Chairman, Cobb and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 903, S.D. 1 (H.D. 2):

In accordance with the disagreement by the Senate to the amendments proposed by the House to S.B. No. 903, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Chairman, Chang, Machida and Henderson as Managers on the part of the Senate at such conference.

Senate Bill No. 904, S.D. 1 (H.D. 1):

In accordance with the disagreement by the Senate to the amendments proposed by the House to S.B. No. 904, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, B. Kobayashi and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 907 (H.D. 1):

In accordance with the disagreement by the Senate to the amendments proposed by the House to S.B. No. 907, and the request for a conference on the subject matter thereof, the

President appointed Senators Aki, Chairman, Cobb and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 937, S.D. 1 (H.D. 1):

In accordance with the disagreement by the Senate to the amendments proposed by the House to S.B. No. 937, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, B. Kobayashi, Aki, Chang, Mizuguchi, Hagino, Holt, Solomon, Uwaine, Young, Ajifu, Henderson and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 1008 (H.D. 1):

In accordance with the disagreement by the Senate to the amendments proposed by the House to S.B. No. 1008, and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Chairman, Cobb and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 1075, S.D. 1 (H.D. 2):

In accordance with the disagreement by the Senate to the amendments proposed by the House to S.B. No. 1075, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Chairman, Chang and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 1082, S.D. 1 (H.D. 1):

In accordance with the disagreement by the Senate to the amendments proposed by the House to S.B. No. 1082, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Chairman, Chang and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 1338, S.D. 2 (H.D. 2):

In accordance with the disagreement by the Senate to the amendments proposed by the House to S.B. No. 1338, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, Chang, B. Kobayashi and Soares as Managers on the part of the Senate at such

conference.

Senate Bill No. 133, S.D. 1 (H.D. 1):

In accordance with the disagreement by the Senate to the amendments proposed by the House to S.B. No. 133, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chang, Chairman, Solomon and A. Kobayashi as Managers on the part of the Senate at such conference.

House Bill No. 1, H.D. 1 (S.D. 1):

In accordance with the disagreement by the House to the amendments proposed by the Senate to H.B. No. 1, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, B. Kobayashi, Aki, Chang, Mizuguchi, Hagino, Holt, Solomon, Uwaine, Young and Ajifu as Managers on the part of the Senate at such conference.

House Bill No. 393, H.D. 2 (S.D. 2):

In accordance with the disagreement by the House to the amendments proposed by the Senate to H.B. No. 393, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, Hagino and Ajifu as Managers on the part of the Senate at such conference.

At this time, Senator Carpenter rose on a point of inquiry and stated:

"Mr. President, I rise on a point of inquiry.

"Mr. President, in the company of a few Senators in your office following the previous session, I asked what committees I was assigned to, and I believe you indicated that I was still a member of the Judiciary Committee. Is that correct?"

The Chair answered: "That is correct."

Senator Carpenter continued: "Mr. President, I am presently vice-chairman of the Arts and Culture Committee. Is that still in effect?"

The Chair answered: "Tomorrow, the Chair will make a final announcement relative to all standing committees in the Senate."

Senator Carpenter continued:

"Okay, so we can expect it tomorrow?"

The Chair replied in the affirmative and Senator Carpenter continued:

"Thank you.

"Mr. President, we note that the sheet which was handed out last week indicates a number of Senators on conference committees, and we note that Senator Fernandes Salling, Senator Kawasaki and Senator Abercrombie of the so-called dissident group are not on any conference committee. Is that correct?"

The Chair answered: "That's correct."

Senator Carpenter continued: "We note also that Senator Toguchi is assigned to one conference committee, excuse me, two; Senator Cayetano to three; and myself to approximately six conference committees.

"Mr. President, I want to inform this body, on behalf of the six individuals listed, that we will not, either individually or as a group, sit in conference committees for the reason that we do not want to be a party to possible emasculating the Senate positions which we supported in the bills going over to the House. And as of this time, I would indicate to this body that we would reserve the right to agree or disagree with the conference committee results and will speak to those issues on the floor of this body. Thank you."

The Chair remarked: "As a matter of response, Senator Carpenter, am I to assume that all of the six individuals have chosen not to serve on conference committees?"

Senator Carpenter answered: "That is correct, Mr. President."

Senator Cobb then rose to ask: "Mr. President, I'd like to rise on a point of parliamentary inquiry and direct the question to the previous speaker."

The Chair asked Senator Carpenter if he would yield to a question and Senator Carpenter having answered in the affirmative, Senator Cobb asked:

"Mr. President, I have recommended your appointment of the previous speaker, as well as other members of my committee, to various conference committees, is he then requesting that I delete his name and substitute the name of another Senator even though

he has previously been recommended?"

The Chair responded: "I believe his statement was that they will not serve. The Chair is left in quite an embarrassing position. I had assumed from the speeches prior to reorganization there was an indication from the six individuals that they would like to be cooperative and would like to include themselves in the work of the Senate. With that in mind, I appointed them to serve on various conference committees."

Senator Cobb remarked and further inquired as follows: "Mr. President, the thrust of my inquiry is that I had named the previous speaker, recommended that he be named to some major conference committees, including the bill on corporations. Is he now saying, even though the recommendation for him being named has been made, that he will not serve on the committees?"

The Chair replied: "My understanding of his presentation ..."

Senator Carpenter interjected: "Mr. President, may I answer for myself, please."

"I tell this body and the previous speaker that I made no such representation. In fact, the previous speaker asked for me to be on the committee. I did not signify yes or no, nor did I indicate to him at any time that I wished to be on the conference committee with these particular bills which he just spoke to."

"Mr. President, just to clarify the issue, I think that all of us six dissidents, if you will, made representations to this body that we would transfer the work of our individual committees to the incoming chairman of the respective committees which we formerly chaired and, I think that we have done that to the best of our abilities and certainly will continue to do that, if there are any carry-over discussions required. But as we go into the conference committee hearings, Mr. President, I think you have to recognize that each of us serving as committee chairman represented positions that were brought about by full and free public discussions on issues and bills before their various committees. To now sit as members, basically voting members but without voice as we go into the conference committee, and to possibly see those positions which we

represented as chairs possibly emasculated or changed or modified to compromise the original position, might possibly be embarrassing to the present chairman serving."

The Chair answered: "In response, Senator Carpenter, whatever the chairmen's positions were at the time we passed the bills still remains the Senate position. Whether or not these positions change ultimately, in discussions in conference committee, remains to be seen. I would like to look at the end product and see whether it is a reasonable one. I'm sure you will look at it in that particular light also and vote accordingly."

Senator Cobb then rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege. I regret the stand taken by the six individuals because as far as I'm concerned, personally, and I'm speaking only for myself as a chairman, they could have contributed a great deal to the maintenance of the Senate position, which I intend to maintain in the conference committee forthcoming, in fact, beginning this afternoon, and I think the Senate is the poorer for the lack of the expertise, the experience, background and the contributions that they would be making in conference. Thank you."

Senator Abercrombie responded:

"Mr. President, with respect to the remarks of the previous speaker, then I feel that I must rise, I guess on a point of personal privilege and, at the same time, and a point of inquiry of you as President."

"Mr. President, we have long since learned in the halls of the Legislature not to be dependent on either the implications or, I guess, in some instances the appellations of the newspapers. But, nonetheless, the story was prominently featured in the Honolulu Advertiser over the weekend with a major headline, 'A bill to increase sales tax dies.'

"In response to the previous remarks, I must inquire of the President ... whether you are familiar with that particular story by Mr. Burris on Saturday. My inquiry of you, Mr. President, is, without going into the details of quotes and all the rest of it, whether the import of that story is, from your point of view, generally an accurate one, to wit, that the bill to increase the sales tax,

for all intents and purposes, is dead ... for all practical purposes, I think it was proximally called?"

The Chair responded: "I've learned a long time ago, Senator Abercrombie, that in the Legislature nothing is dead until the conference is over. So, until such time that that occurs, life springs eternal. That is with bills and everything else."

Senator Abercrombie continued: "Mr. President, then on a point of personal privilege, to have before us then a situation where we are dependent upon the Lazarus syndrome, that is to say, that the dead body will miraculously rise from the grave of the conference, puts us into a position where the events of the last few days are put into special perspective.

"Mr. President, I think that the public certainly is entitled to know more than that there was an argument among Senators or between Senators; that this is not just a matter of politicians arguing with one another to no purpose other than discussions about power, who has it or who does not.

"Mr. President, I think that the fact that we are dependent upon arising from the dead in conference is indicative of the situation that was created with this reorganization. There's no way, had we had the discussions and the communication that was necessary for us to do our business, that this would have occurred.

"It seems to me that it's now quite clear that the budget battle and the tax battle was joined without all of us having the opportunity to participate in a way that would have allowed for positive contribution.

"I think it's indeed unfortunate that the previous speaker would indicate that now our talents are to be utilized when they were not sought previously; that such input as we might be able to provide now is necessary or conducive to conducting the public business, the business of the Senate, in good order, but was not necessary previously.

"It's too bad, from a legislative point of view and certainly from the point of view of the taxpayers of the state, that the same kind of attempt to seek input was not existing previously. We would not be in this situation today had there not been hidden agendas operating which we

had no input; which we had no knowledge of.

"We are in a situation, Mr. President, where I think that as I indicated at one time to you, I certainly indicated to others, that I was perfectly willing to sing the same tune, provided that I was able to find out what the lyrics were. But, unfortunately, Mr. President, I think that what was desired of us was that we just hum along or just mouth the words. That's impossible for us to do; I don't think that's the way to conduct business; and I think we find the Senate now in a dire position because the entire key to this whole affair, the entire key to the budget process, was tied to this dubious tactic, this hollow strategy of the tax bill. The tax bill which has now died, for all intents and purposes.

"So, minus this resurrection from the dead, Mr. President, it appears to me that regardless of the conference outcome, the Senate position is one now in which there can be little or no confidence and that as for the rest of the conferences with the rest of the bills, our participation to whatever degree possible, with respect to such talents as we may possess, would simply mock the process rather than aid and assist it. Thank you."

Senator Cobb then said: "Mr. President, I'd like to rise in response.

"Previously, there were some remarks directed towards an editorial and the cartoon that appeared in the Honolulu Advertiser of last week. I found that cartoon and the editorial accompanying to be amazingly accurate.

"I think the fundamental reason for the change that took place in the Senate was not a disagreement on the budget but an attempted overthrow of the Ways and Means Committee and a wholesale changing of the committee. And I would just like to point out that, having read that, I admit I'm beginning to have second thoughts about whether or not we should have one or two editorial voices in this town even though I recognize it's very clearly a matter of whose ox is getting gored."

Senator Abercrombie responded: "Mr. President, perhaps it isn't quite clear enough, and I will respond to the previous remarks.

"Maybe we ought to start talking then about what really went on. If

that's the previous speaker's desire, I'd be happy to do it. You want to talk about overthrowing, reorganization?

"I came into this Senate on the up-and-up. I came in here and did my work. I was spending twenty hours a day with my staff working. I was in the neighbor islands getting testimony. I was putting a package together. I was coming out to the public and saying to them, 'you give us the input; we're going to translate that into a legislative project.' And all the time, I was counting on the leadership, which includes the previous speaker, for not pulling things behind our backs.

"You want to talk about reorganization? I admit my fault. My fault was I thought all I was supposed to do was my work. All the time I was being out-flanked by this separate budget process that was going on.

"For the previous speaker to say that the budget is not the issue here -- it's the manifestation of everything that was going on. This place was reorganized right around us. I admit to that. I was too busy doing my work. I didn't know that I was going to be undercut from behind. Does the previous speaker think he can get away with that kind of nonsense?

"The previous speaker apparently wasn't ... he must have been, as part of the leadership ... presented me with so-called briefings with an entirely separate budget that my committee never saw. Is that what he is talking about ... whose ox is getting gored? It's the public ox getting gored!

"How would he like to come into a situation where you worked day and night on a \$350 million budget involving 160,000 children and be told, 'by the way, everything you were told to do in written memos; everything that you were asked to do in terms of cutting the budget -- \$15 million savings out of this year's budget so there's no carry-over for the workload increases; \$21 million cut out of the biennium budget as presented; \$36 million package that you're having to deal with, and at the same time receive orders ... don't lay anybody off; warm body policy; all benefits cost; all fixed prices; all salaries have to remain intact.'

"Take those orders and try and put them together and come back in and find that the very people who told you that that's what you were

supposed to do, the very people and the leadership, including the previous speaker, who would not meet in caucuses, who would not respond to constant requests by subject matter committee chairpeople like myself that we meet, that we talk, that we understand what's going on. Oh, no, all that was going to be handled. It was going to be handled all right, in an entirely separate budget.

"This place was reorganized all right. It was reorganized way before last week without any of us knowing about it.

"And let me tell you something, for those of you who are part of it, if it can happen to us, it can happen to you. Who's going to be the next victim when you're told to carry the ball? When you're told to put yourself on the line as is happening right now ... and what happens when you turn around and look for the help and somebody tells you, 'let's talk if you got the votes, that's all that counts.'

"I know what the score was. I admit to the naivete of thinking that hard work alone was sufficient to communicate. Oh, no, what's told is, 'sure, they'll complain; of course, they'll realize that the whole thing had been done with no consultation but in the end they'll buckle under; why, because we've got the votes.'

"Why do we have the votes? That's the question to be posed and answered by the previous speaker. The votes to do what? To gore oxes? Is that what we're reduced to a series of cliches, referrals to cartoons in the newspaper? We're talking about a \$3 billion budget here.

"When I went into that briefing and I asked, 'A "B" budget? What "B" budget? I never heard about a "B" budget. Aren't we supposed to have public hearings? Where were the public hearings? There was no public hearing on any "B" budget? Oh, this was done by the staff. All right, what's the first item on the budget?'

"It's burned in on my mind ... \$1,066,528 equipment. I asked in the briefing, what's it for? 'Well, it's for equipment; I mean, we're just restoring equipment.' 'But equipment is divided into textbooks; it's divided into special educational instructional material; which is it?' Well, they said, 'I don't know.' Well, how am I supposed to defend the position?

"The previous speaker has just taken me to task and others to task

for not being in the conference committee. I can't even find out from the Ways and Means Committee what it is they mean when they give me a figure I'm supposed to defend at the conference.

"What is the bottom line,' I asked. 'I can put my people to work again; I will work 24 hours; we will stay up all night; give me the bottom line on your "B" budget; maybe I can put it together; I don't know.' The answer is, it wasn't known.

"I said before, Mr. President, and if members in here want to get into this kind of thing, as to the kinds of discussions, we can do it.

"I said before, I didn't come in here for a title. I didn't come in here to be taken care of, and I certainly didn't come in here to make a fool of myself on the conference by defending a budget that I never saw and the people advocating that budget unable even to tell me what it was for, other than to say, 'it's tied to the tax increase.'

"We asked for a caucus on that ... is this a good idea ... is this the strategy we want to take? 'We got the votes, take it or leave it.'

"Now let's talk about what really came down here. It's just that most people never expected us to take a hike on the issue of principle, so don't preach to me about reorganization and take-over. We were taken over already.

"What we were trying to do is reestablish some semblance of our own goddamn self-respect; but maybe some of you can live without any of it, I can't. I don't want to!

"Now, we're trying to restore that process and we're trying to restore it in a responsible way, and it's not responsible to go sit on a committee, on a conference as if nothing ever happened, as if this is the way things should be done. It's not the way things should be done! And if you want to go into it further, then I'll welcome the opportunity.

"If the speaker wants to go further, I will repeat on the floor of this house some of the conversations that were held. It was already started by the erstwhile Majority Leader the other day, and if he wants to pursue it, I'll start talking about the conversations that were held concerning the members of the Ways and Means Committee by some of

the senior people in this place and to what their real opinion of you is; as to why this division took place; why we were not allowed to have caucuses; why we were told to keep quiet; why we were told not to communicate while the leadership was going to handle things.

"Do you think six people just stood up and took a hike like this because they didn't have anything better to do? You think of the positions you're in now, among the majority, and you think about what the real, real idea of you is by some of the people who are standing here in positions telling you how important you are today, and how they're going to help you succeed. And you think for a moment, if you will, as to what the real background, in terms of their opinion, of your abilities and all the rest of it were.

"I admit to mistake. I was a fool for listening. I should have gone on my own. I should have gone to see individuals that are in the majority right now, especially on the Ways and Means Committee and expressed my views personally to you as to what I saw going on. I attempted in caucuses; people walked out. The Majority Leader, at that time, walked out. We were told we were intimidating. It's intimidating to have a caucus? Have a discussion? I've got a record in here too. I've had views. For example, I didn't approve of the way we went through this situation with buying the Governor's cuts just like that. I made my point known. I didn't succeed. I'm a good soldier; I went out and made my cuts, and all the time the cuts are being made, there's another agenda going on, and the other agenda's going on because of certain views of some of the leadership about some of the people who are just on Ways and Means for the first time this year.

"You think about it. If you can believe that we stayed out of these discussions just because we thought we were above you or anything else, you can believe in the 'great pumpkin.'

"So, when it comes to reorganization, I have no apology to make. It is, as I indicated just recently, there's only one thing worse than being wrong in politics, it's being right. And that's what we are, we're right. We're right to point out to the public that this is not the way to get things done. We're right to organize originally in '79, Mr. President, as we did under your

leadership, and it will be right today to continue to do it the same way; and it will be right for us to all get back together and try and put this thing together on the right basis.

"As far as votes are concerned, you've got to have the votes for something and the only thing we have the votes for right now is what we can get away with, and that's no way to do public business."

Senator Cayetano, also in response, stated as follows:

"Mr. President, responding to the Majority Floor Leader and this business about conference, I think Senator Abercrombie's remarks speak for the six of us.

"Let me say this, I hope when the Senate goes into conference, it doesn't go through the 'shibai' of trying to defend its part 'B,' part 'A' budget. Let's be honest with the House and with ourselves. Hoist up the white flag. Don't be ashamed to do that. That's all that's left on part 'B.'

"This article here ... your remarks indicate as much. Hoist up the white flag on part 'B,' and get down to business and work on part 'A.' Maybe ... and I'll try to help. I've certainly offered to my successor, Jimmie Aki. I don't think Jimmie can complain about the help that I've given him. 'Have I helped you, Jimmie?'

"Mr. President, you cannot expect us to go to conference under these circumstances. It's as simple as that.

"Now, it's one thing for us to learn on television, Mr. President, about what our fate is. I thank Channel 9 and Doug Woo for that. Doug, you apparently have more pull with the President than we do.

"Now, I've got this communication that says that I've been appointed to three conference committees; and as a general rule, I think, it's been the practice, certainly the tradition of the Senate, to discuss this matter with appointees before appointing them to the conference committees because, after all, some of us may not want to serve on conference committees. And there have been comments made in the press about our position on conference committees, Mr. President.

"You've traded a part of your team. We're the 'over-the-hill' gang, Mr. President. You've got new draftees;

go with them. That's the Senate position, okay?"

"On Monday, when we filibustered the budget bill, we had a caucus, Mr. President, six of us and you. And because of our aloha and affection for you, and you may not believe that some of us have that for you, Mr. President, we decided that we would not disclose to the members here what was said during that caucus. But the end result was a speech that I'd intended to give which, I thought, fairly well dissected the budget and showed how the Senate's budget was intellectually dishonest was not given. The speech would have shown how, if that tax did not pass, we would be in a hole by fiscal '84, and even if the tax did pass, what the hell would we be doing by fiscal '86 for money? It is an intellectually dishonest budget.

"The problem is, you didn't think this through. That's what it boiled down to. And you don't think these things through if you don't have caucuses and you don't have opinions ventured forth by others. That's the way you chose to do business in the Senate, and I think when the Senate conferees go to conference with the House on the budget that the anticipated bad results will come forward.

"According to this article it appears that the Senate's budget is based in part on the \$70 million that the state expects in the liquor tax. Well, Mr. President, if we had had a caucus the question would have come up ... what do we do if an appeal is made? Certainly an appeal will be made. What do we do then?"

"And that \$70 million is a one-time shot, from what I understand. What happens the year after that? Where's the money going to come from, the tooth fairy? Where's the money going to come from?"

"The problem is that these are hard times and this Senate, the majority of this Senate, has never been able to tighten its belt and make hard decisions. We always end up doing the political thing, whatever is politically expedient. We cannot be honest with ourselves and realize that the job that we're here for is to make these hard decisions. Have we done that?"

"And I thought we were going to do that this session, Mr. President, when we were ordered to make \$85 million in cuts. I did not agree with

everything, but I was rather proud that finally we were taking steps to make hard decisions. But in the end, its politics as usual, and now this whole house of cards, which is the Ways and Means position on the budget, is going to come tumbling down.

"As I said earlier, get a white handkerchief, tie it to a pole because that's the way the Senate is going into conference with the House."

Then, Senator Toguchi rose on point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, during the past couple of weeks, several people have come to see me or called me to inquire about Rick Higashionna's appointment as Director of the State Department of Transportation. The people who talked to me include members of the media, as well as Mr. Higashionna himself.

"Mr. President, apparently through some misunderstanding, someone left him with the impression that along with another Senator, I, who was then chairman of the Agriculture Committee, had reservations about Mr. Higashionna's reappointment. Mr. President, I'd like to clarify for the record that I had at that time, as chairman then of the Agriculture Committee, no reservations with Mr. Higashionna's reappointment. In fact, Mr. President, I fully supported it at that time and I still do support his reappointment.

"Mr. President, when I heard about supposedly some of the reservations with the Senators, including myself, which I had no reservations, I approached the Director of the Department of Agriculture and he indicated to me that he is very pleased with Mr. Higashionna's past performance. He has worked very closely and cooperatively with the Department of Agriculture to try to resolve the transportation problems associated with agriculture, especially on the neighbor islands. Mr. President, I also further pursued that.

"I also spoke with the chairman of the Governor's Agriculture Coordinating Committee. Just for background, I'd like to mention the makeup of that committee. Included in that committee are the Director of the Department of Transportation, the

Director of the Department of Land and Natural Resources, the Director of the Department of Agriculture and many others who have worked together in the past and I'm very pleased with their performance.

"Mr. President, I'm rising today to clarify for the record that I was not one of the Senators who had any reservations about Mr. Higashionna's reappointment, and I fully support his reappointment. Thank you."

Senator Cayetano then asked: "Mr. President, will the newly crowned Majority Leader yield to a question?"

The Chair asked the Majority Leader if he would yield to a question and Senator Uwayne having responded in the affirmative, Senator Cayetano asked:

"Mr. President, would he respond to the remarks of Senator Toguchi? Was he the person who gave the press the impression that Senator Toguchi was opposed to Mr. Higashionna?"

Senator Uwayne answered: "Mr. President, no, Senator Toguchi was not one of those individual senators."

The Chair then said: "The answer is no."

Senator Cayetano continued: "Mr. President, let me refer then to an article in the Friday, April 8th, Honolulu Star Bulletin.

"It says, 'Senate Transportation Chairman, Clifford Uwayne, said yesterday that the appointment of Ryokichi Higashionna as Transportation Director could be held up until the next session. He said his new duties as Majority Leader and the short period before the end of the legislative session, April 22, could interfere with the confirmation of Higashionna.'"

"Mr. President, I'd like to ask the Majority Leader what is he talking about when he said his new duties as Majority Leader could interfere with the confirmation? Would he answer the question? What new duties is he talking about?"

Senator Uwayne responded: "Mr. President, let me answer it this way although it may be a little premature.

"Mr. President, I did have conversations with you regarding Dr. Higashionna's nomination as Director of the Department of Transportation.

As far as the nomination, it will be forthcoming tomorrow on the floor and his hearing for confirmation will be held next week Tuesday. After proper evaluation during this past weekend, I feel that it is proper that this body take up his confirmation."

Senator Cayetano answered: "Very good, Mr. President, I'm glad to see that his new duties do not interfere with the confirmation hearing. Thank you."

The Chair then made the following remark:

"Members, I think it's incumbent upon the Chair to answer some of the inquiries and suggestions made to the Chair.

"With reference to the press, that's their business how they get their news. However, it didn't come from me about the reorganization. In fact, we were trying to make contact with Senator Kawasaki's office to set up a meeting, but he had another meeting out of the building. It was going to be an attempt to get all of the Senators together to explain to them what was going to take place.

"For the record, as far as the President is concerned, there was no discussion with anyone in the media relative to the reorganization.

"Secondly, I think it's sad that we have come to this point, but I realize that there are strong differences of opinion about what occurred here. The one thing that I want to state for the record is that it was not I who fired the first shot. I did not know that there was an attempt to remove Senator Yamasaki as chairman of Ways and Means. I did not know that there was an attempt to remove all freshmen from Ways and Means. This was all being done behind my back.

"For those who now complain about not having had a caucus on the budget, they should have extended to me as President of the Senate the same consideration of prior discussion on matters dealing with the organization and administration of this body.

"Again, I repeat, I will not and I shall not tolerate actions of this kind. No matter how short the time I may have as President; I will not condone such behavior.

"I think what is good one way should be applicable the other way.

"With reference to the conference committees, I think we all should have the patience to wait for the final product before we begin praising or criticizing it. If the final product does not meet with the expectation of the majority of the members of this Senate, I am sure it will not pass. Should it come out in a manner that would be acceptable to the majority of this body, then I'd feel we have done our job and carried out our responsibility.

"I don't think conference is ever easy. Conference is always a hard and arduous road involving many compromises. This means a helluva lot of give and take. And I expect the budget not to exactly come out the way the Senate wants it because we have to accommodate 51 members located across the hall. I would like to see a budget that comes out which benefits the people of this state.

"I've been assured by the House that there will be a cooperative attitude in conference. Hopefully, a consensus can be reached between the two bodies.

"I am confident. I can assure you that the one that will bear the brunt will be the President of the Senate.

"I will not accept the concept of going into conference with a white flag tied on a pole because I am confident that when the end product is delivered that all of us can support that product. Again, I am very optimistic and if I have anything to do with it, I'm going to make it happen."

Senator Abercrombie responded and added:

"Mr. President, fair enough, but that's precisely my point. If we could have talked like this ... you know I have to talk here on the floor, Mr. President, because we were unable to do this before despite how many times you were approached. It's unfair. It is a distortion of reality for you to stand up and say in response to the remarks here what we should have done was to have had meetings; what we should have done was to have gotten together; what we should have done is communicate when we did this over and over and over again, requesting, asking for this kind of dialogue and being turned down over and over again.

"And I quite agree ... this is the situation.

"I've already indicated to other members here that I wish I had done differently. I wish I had acted on my inclinations to go on my own and try and get things straightened out because nothing was getting straightened out in here, despite repeated requests to do exactly what you say.

"So, I say again, the take-over was already accomplished, Mr. President. You had done that. You had done that by the manner in which you were able to keep us separated from one another.

"And as for the product of the work that comes out, I can see why you're confident; because let the record show here, let it show publicly and it show on this floor ... you're going back to the work product of our committees and to the degree that anything comes out positive, it is because of the work of our committees because the work that was done behind the scenes has now fallen into total disarray and chaos.

"What position will be defended? I commend this to the reporters you say get their news where they will ... when you go into conference, they will see that what is going to be discussed is going to be our work product. When I said our, I thought it was the whole Senate. I didn't know it was going to be just us in committee and then somebody else decides something else; then you go get the votes and so you then shove it down our throat.

"You're going back to our work product. When the Education budget is discussed, it's going to be the budget of our committee, so what was it all for? What was it all for, some tactic, some kind of behind the scenes maneuver to some grand stratagem, so grand, so abstract that nobody was let in on it?

"Perhaps the quote that was given to me might be appropriate here, 'you know, you can't drop this on somebody too quick, they're liable to start building opposition to it.' Sound familiar, anybody?

"That's the kind of thing that got said to me. You can't drop this tax deal and the way we're putting this thing together on people too quick because they're liable to build opposition to it.

"In other words, we might discuss it and maybe decide that wasn't the right tactic. So, there'll be a product of work, all right. Just

remember where the product of work came from because we're all going to need to remember that if we are to carry on any kind of business.

"And as for the give and take part, Mr. President, that's precisely what we wanted to have. Why should the give and take be taking place now in the conference committee when the give and take should have taken place in the Senate?

"The Minority Leader spoke quite forcefully on this very issue last Thursday or Friday or whenever it was that we took this up. The give and take should have taken place in here.

"So, I say again, Mr. President, that I think everybody was over 21 who came in here. I don't think that anybody in here is going to shy away from give and take if it was done honestly and forthrightly that will enable us to come out with something better altogether. The fact that we didn't do it has led us to this situation today. So, let's not have any crocodile tears about take-overs. Let's remind ourselves as to what the real situation was and remind ourselves what that can lead to, because if all of our relationships are going to be based on the alliances of the moment, and that's what we appear to be heading into, everyone who sits in every chair here is in mortal danger, any single moment, because as far as I can see what's being espoused now from the leadership, Mr. President, is that it's everybody drag out their own corpse, and good luck.

"If that's the way we want to conduct business in here, well, I'm as ready as anybody, but I don't think that's going to accomplish anything, either for us or for the public as a whole."

Senator Toguchi, also in response to the Chair's remarks, stated:

"Mr. President, I'd just like to respond to your statement.

"I think there's something being lost here and, that is, I think you've focused in on what has happened here the past week. I think what you haven't looked at is as to why, the 'why's.' You're focusing in on what has happened. I think you know there's always 'a cause and effect,' You're looking at the effect and not the cause. Thank you."

Senator Kawasaki then rose to respond to the Majority Floor Leader's

remarks and stated:

"Mr. President, I want to respond to what I consider a rather intemperate remark made by the Majority Floor Leader when he said that he completely agreed with the Advertiser editorial.

"First of all, we've got to put that editorial in its proper perspective. It's just more than a mere coincidence that the six dissidents, if you will, just happen to be those six people on the Senate floor here that believe strongly that the newspaper monopoly act that we were conned into enacting at the state level in addition to the federal level ... those six people just happen to believe strongly enough about the need for repeal of that act.

"But I want to, at this point, inquire of the Majority Floor Leader when he said that this was purely and simply as the editorial said, 'a power grab.' Is he of the opinion that each of us, Senator Carpenter, myself, Senator Abercrombie, Senator Cayetano, Senator Toguchi and Senator Fernandes Salling, each of us are guilty of a power grab attempt on our individual parts? I'd like for the Majority Floor Leader to answer that."

Senator Cobb answered: "Mr. President, yes, I think the editorial made clear what had transpired relative to a take-over attempt of the Senate, most particularly a take-over attempt of the Ways and Means Committee.

"I don't assign individual responsibility or blame, but I did recognize the accuracy of the editorial. And that's all I commented on."

Senator Kawasaki continued: "Mr. President, then my follow-up response is that if trying to alter the Senate budget so it would be meaningful, a budget that we can depend on, we can defend, not a budget predicated upon the premise that part of it, part 'B' to be specific, is predicated on a possibility of a sales tax increase passing ... it just seems to me that this is not the best way to enter into a conference committee.

"We did earnestly and sincerely try, six of us, to have a budget that was meaningful that we could depend on, and if trying to do that is a power grab, then I must admit guilt to a power grab, if you will, as the term is being used, on my part."

Senator Cobb then added: "Mr. President, I guess the previous speaker neglected to mention that I too am one who favor the repeal of the newspaper preservation act and, in fact, on two occasions moved such a bill out of my committee and this year signed the committee report, for the repeal of the monopoly on the state law, free and clear.

"Furthermore, Mr. President, I don't think a disagreement with the budget is grounds for a wholesale change of the Ways and Means Committee because I too had some reservations or disagreements with the budget. Thank you."

Senator Cayetano then said: "Mr. President, frankly, I don't care what the Advertiser says. That's the way I feel about this thing.

"We made our move; we thought there was a problem. You made yours, and now we're here. Let's go on from here.

"Frankly, if the conferees come back with a budget that we can all support and be proud of, fine. I shall get up and praise the conferees on this floor. That's what I'm interested in.

"As long as this Senate is run the way it's been run for the last five years, however, Mr. President, I don't think, and I refer to your statements in the paper about acts of conciliation, there can't be any conciliation. Maybe there'll have to be a reorganization."

The Chair remarked: "Just one last comment, and I hate to continue this discussion. I am ready and willing to discuss matters. I want to reassure all of you, all 24 of you, that contrary to what has been said, there'll be a lot of talking going on between the end of this session and the next, I promise you.

"All I can ask is what the former chairman of Economic Development said. I hope you will give us the opportunity to wait for the final product to arrive here and then vote accordingly. I have no issue with that. Up or down. That's been my style. As the former chairman of Economic Development said the other day, 'this is not kindergarten; this is the Senate' and we're going to keep the work of the Senate going."

Senator Cayetano responded: "Mr. President, one last word to that since

I was the person who said that.

"I hope you remember that when it comes to some of the newer members in the Senate, Mr. President. That quote came from Senator Kawasaki in our discussion with you about the so-called intimidation, so-called ability of some of the less experienced members of the Senate to handle work and issues and, I believe Senator Kawasaki said, 'This is not kindergarten; this is the Senate.' and I thought that was a helluva remark so I had to use it."

The Chair then said: "And I attributed it to you."

Senator Cayetano answered: "That's right, and I think it's true."

The Chair' then said: "With reference to the young people, they are young and they are inexperienced but I am also very confident that they are very hard workers.

"I'll be the first to admit that we are going into conference in a very unusual position of having new people there. But, as I mentioned, I am very confident that the product that will be delivered will do them proud and do us proud as Senators. I'm not really worried about the whole thing, I'm really not."

Senator Kawasaki added: "Mr. President, for the record, as President Truman had once said, aside from his remarks attributed to him in 1911, (some very biased racial remarks that were carried in the morning papers) he said, 'If you can't stand the heat, get out of the kitchen.'"

Senator Carpenter said: "Mr. President, I'd just like to say that some of the conversations may seem to indicate that some of the older ones really have no respect for some of the newer Senators, I want to, for my own, say that I have a lot of respect for every member in this body, whether they are first-timers or not, whether they're formerly representatives or formerly individuals who came from the community. And I, too, like you, have every hope that they will rise to the occasion, as I'm sure they will, because they are, in fact, Senators. Thank you."

ADJOURNMENT

At 12:48 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, April 12, 1983.

FIFTY-SECOND DAY

Tuesday, April 12, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Edith Wolfe of the Hawaii Conference, United Church of Christ, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Fifty-First Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 277 to 286) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 277) submitting for consideration and confirmation to the Board of Electricians and Plumbers, the nomination of Nicholas W. Teves, Jr., term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 278) submitting for consideration and confirmation to the Board of Massage, the nominations of the following:

Eve Clute, term to expire December 31, 1986; and

Rex R. Ball, term to expire December 31, 1983,

was referred to the Committee on Consumer Protection and Commerce

A message from the Governor (Gov. Msg. No. 279) submitting for consideration and confirmation to the Board of Land and Natural Resources, the nomination of Roland Higashi, term to expire December 31, 1985, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 280) submitting for consideration and confirmation to the Library Advisory Commission, County of Hawaii, the nominations of the following:

Hideo Kuniyoshi, term to expire December 31, 1983; and

Diana B. Kahler, term to expire

December 31, 1986,

was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 281) submitting for consideration and confirmation to the Hawaiian Homes Commission, the nominations of the following:

Hoaliku Drake, term to expire December 31, 1985;

Clarence K. Kamai, term to expire December 31, 1986; and

Linda K. Rosehill, term to expire December 31, 1986,

was referred to the Committee on Hawaiian Programs.

A message from the Governor (Gov. Msg. No. 282) submitting for consideration and confirmation to the Windward Oahu Subarea Health Planning Council, the nominations of Margaret P. Josiah, Peter Cabral and James D. Williams, terms to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 283) submitting for consideration and confirmation to the Waianae Coast Subarea Health Planning Council, the nominations of the following:

Richard Paul Bettini, term to expire December 31, 1984;

Glenn Fujihara, D.D.S., term to expire December 31, 1986;

John Domen, Jr., term to expire December 31, 1985; and

Melvin Dumancas, term to expire December 31, 1985,

was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 284) submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities, the nominations of Agnes Jerome Murphy, Setsuo Furuno, Ph.D. and Myron W. Hatch terms to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 285) submitting for consid-

eration and confirmation to the Board of Radiologic Technologists, the nomination of Robert L. May, M.D., term to expire December 31, 1986, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 286) submitting for consideration and confirmation as Director of Transportation, the nomination of Ryokichi Higashionna, Ph.D., term to expire December 1, 1986, was referred to the Committee on Transportation.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 449 to 505), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 449), informing the Senate that on April 11, 1983, the House has disagreed to the amendments by the Senate to the following House Bills:

H.B. No. 3, H.D. 1;
 H.B. No. 6, H.D. 1;
 H.B. No. 42, H.D. 2;
 H.B. No. 43, H.D. 2;
 H.B. No. 80, H.D. 1;
 H.B. No. 81, H.D. 1;
 H.B. No. 114, H.D. 2;
 H.B. No. 182;
 H.B. No. 253, H.D. 1;
 H.B. No. 256, H.D. 1;
 H.B. No. 258, H.D. 1;
 H.B. No. 268, H.D. 2;
 H.B. No. 269;
 H.B. No. 272, H.D. 1;
 H.B. No. 287, H.D. 2;
 H.B. No. 289, H.D. 1;
 H.B. No. 325;
 H.B. No. 338, H.D. 1;
 H.B. No. 519, H.D. 1;
 H.B. No. 702, H.D. 2;
 H.B. No. 722, H.D. 1;
 H.B. No. 752, H.D. 1;
 H.B. No. 765;
 H.B. No. 809, H.D. 1;
 H.B. No. 810, H.D. 2;
 H.B. No. 813;
 H.B. No. 817, H.D. 1;
 H.B. No. 1061, H.D. 1;
 H.B. No. 1087, H.D. 2;
 H.B. No. 1123, H.D. 2;
 H.B. No. 1151, H.D. 2;
 H.B. No. 1231, H.D. 1;
 H.B. No. 1237;
 H.B. No. 1304, H.D. 2;
 H.B. No. 1401, H.D. 1;
 H.B. No. 1402, H.D. 2;
 H.B. No. 1568;
 H.B. No. 1580, H.D. 1; and
 H.B. No. 1583, H.D. 2,

was placed on file.

A communication from the House (Hse. Com. No. 450), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 5, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Kiyabu, Chairman, Bunda, Chun, Crozier, Graulty, Kawakami, Levin, Morgado, Nakata, Souki, Tam, Wong, Yoshimura, Anderson and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, B. Kobayashi, Mizuguchi and Ajifu as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 451), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 45, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Takamine and Kiyabu, Co-Chairman, Bunda, Kawakami, Kiyabu-Saballa, Menor, Nakata, Okamura, Say, Souki and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Hagino and Ajifu as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 452), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 69, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Baker, Chairman, Apo, Shito, Stanley and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Chang, Chairman, Machida and A. Kobayashi as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 453), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 225, H.D. 1,

and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Kiyabu, Chairman, Bunda, Chun, Crozier, Graulty, Kawakami, Levin, Morgado, Nakata, Souki, Tam, Wong, Yoshimura, Anderson and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, B. Kobayashi and Ajifu as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 454), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 236, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Say, Chairman, Bunda, Kawakami, Takamine and Dang as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Young, Solomon and Ajifu as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 455), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 274, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Shito, Chairman, Baker, Kim, Lardizabal and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Cobb, Chairman, Chang and Henderson as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 456), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 278, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Shito, Chairman, Kim, Lardizabal, Matsuura and Ikeda as Managers on the part of the House for the con-

sideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Cobb, Chairman, Uwaine and Henderson as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 457), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 286, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Shito, Chairman, Andrews, Hayes, Honda, Levin and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Cobb, Chairman, Chang, Holt and Soares as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 458), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 291, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Shito, Chairman, Hirono, Kim, Taniguchi and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Cobb, Chairman, Chang, B. Kobayashi and Henderson as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 459), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 314, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Hirono and Kiyabu, Co-Chairman, Chun, Shito, Tam and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Young, Solomon and Ajifu as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 460), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 337, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Taniguchi, Chairman, Stanley, Tungpalan and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Uwaine, Chairman, Yamasaki and Soares as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 461), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 387, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Kiyabu, Chairman, Bunda, Chun, Crozier, Grauly, Kawakami, Levin, Morgado, Nakata, Souki, Tam, Wong, Yoshimura, Anderson and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, B. Kobayashi and Chang as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 462), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 390, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Stanley, Chairman, Honda, Lardizabal, Matsuura and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Chang, Chairman, Kuroda and A. Kobayashi as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 463), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 393, H.D. 2, and has requested a conference on

the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Say, Chairman, Bunda, Kawakami, Menor, Nakata, Souki, Takamine and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 464), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 467, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Stanley, Chairman, Hirono, Tom and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Chang, Chairman, Cobb and George as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 465), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 494, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Stanley, Chairman, Honda, Taniguchi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Chang, Chairman, Holt and A. Kobayashi as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 466), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 502, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Baker, Chairman, Chun, Hagino, Ige and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators B. Kobayashi, Chairman, Machida and Ajifu as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 467), informing the

Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 535, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Stanley, Chairman, Hayes, Tom and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Chang, Chairman, Kuroda and A. Kobayashi as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 468), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 576, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Stanley, Chairman, Honda, Kim and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Chang, Chairman, Holt and A. Kobayashi as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 469), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 621, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Shito, Chairman, Honda, Matsuura, Tungpalan and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Cobb, Chairman, Uwaine, Yamasaki and Soares as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 470), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 659, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Shito, Chairman, Kim, Taniguchi, Tom and Ikeda as Managers on the part of the House for the consideration of said

amendments, was placed on file.

In accordance therewith, the President appointed Senators Cobb, Chairman, Chang, Yamasaki and Soares as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 471), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 663, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Stanley, Chairman, Hirono, Kim, Levin, Morgado, Taniguchi, Yoshimura and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Chang, Chairman, Holt and A. Kobayashi as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 472), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 670, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Kiyabu, Chairman, Kawakami, Morgado, Yoshimura and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Hagino and George as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 473), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 753, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Say, Chairman, Crozier, Nakata, Souki and Dang as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Machida, Chairman, Holt and A. Kobayashi as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 474), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 781, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Stanley, Chairman, Andrews, Lardizabal, Tam, Tom, Yoshimura and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Chang and A. Kobayashi as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 475), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 783, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Stanley, Chairman, Chun, Taniguchi, Tom, Wong and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Chang, Chairman, Holt and George as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 476), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 800, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Stanley, Chairman, Kim, Tom and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Cobb, Chairman, Machida and George as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 477), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 844, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives

Albano, Chairman, Gaulty, Kim, Lardizabal, Levin, Nakasato, Yoshimura and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Chang, Chairman, Solomon and A. Kobayashi as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 478), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 901, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Stanley, Chairman, Andrews, Taniguchi and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Chang, Chairman, Machida and A. Kobayashi as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 479), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 913, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Shito, Chairman, Baker, Lardizabal, Matsuura and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Cobb, Chairman, Chang, Uwaine and Henderson as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 480), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 915, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Shito, Chairman, Gaulty, Lardizabal, Taniguchi, Tungpalan and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the

President appointed Senators Cobb, Chairman, Chang, Uwaine and Soares as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 481), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 966, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Shito, Chairman, Graulty, Honda, Kim, Lardizabal and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Cobb, Chairman, Chang, Uwaine and Henderson as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 482), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 992, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Stanley, Chairman, Graulty, Honda, Levin, Tungpalan and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Hagino and Henderson as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 483), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1018, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Say and Kiyabu, Co-Chairman, Crozier, Kawakami, Nakata, Okamura, Wong and Dang as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Cobb and Ajifu as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 484), informing the

Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1102, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Stanley, Chairman, Honda, Matsuura and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Chang, Chairman, Cobb and George as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 485), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1118, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Stanley, Chairman, Andrews, Matsuura and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Chang, Chairman, Kuroda and A. Kobayashi as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 486), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1119, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Stanley, Chairman, Hirono, Kawakami, Tungpalan, Yoshimura and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Chang and A. Kobayashi as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 487), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1190, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Takamine and Kiyabu, Co-Chairman, Crozier, Kawakami, Matsuura, Souki

and Dang as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Hagino and Ajifu as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 488), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1232, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Hirono, Chairman, Apo, Leong, Morgado, Tom and Jones as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Young, Chairman, Yamasaki and Ajifu as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 489), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1266, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Stanley, Chairman, Taniguchi, Tom and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Chang, Chairman, Cobb and George as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 490), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1311, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Albano, Chairman, Grauly, Hayes, Honda, Nakasato, Wong and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Kawasaki, Chairman, Hagino and George as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 491), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1313, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Ige and Kiyabu, Co-Chairman, Baker, Chun, Leong, Morgado, Anderson and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, B. Kobayashi, Mizuguchi and A. Kobayashi as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 492), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1340, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Shito, Chairman, Hirono, Kim, Matsuura and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Cobb, Chairman, B. Kobayashi, Uwaine and Henderson as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 493), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1342, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Stanley, Chairman, Baker, Hayes, Tom and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Chang, Chairman, Machida and George as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 494), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1363, H.D. 1, and has requested a conference on the subject matter thereof, in con-

sequence of which, on April 11, 1983, the Speaker appointed Representatives Stanley, Chairman, Hirono, Taniguchi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Chang, Chairman, Holt and George as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 495), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1399, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Say and Kiyabu, Co-Chairman, Crozier, Kawakami, Nakata, Okamura, Takamine and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Aki and Ajifu as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 496), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1417, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Stanley, Chairman, Hirono, Lardizabal, Tom and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Chang, Chairman, Cobb and George as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 497), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1434, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Hashimoto, Chairman, Hee, Menor, Nakasato, Say and Dang as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Solomon, Chairman, Mizuguchi and Ajifu as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 498), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1438, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Stanley, Chairman, Lardizabal, Tungpalan and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Chang, Chairman, Kuroda and A. Kobayashi as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 499), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1505, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Say and Kiyabu, Co-Chairman, Crozier, Hee, Kawakami, Matsuura and Dang as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Aki, Holt and Ajifu as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 500), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1557, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Stanley, Chairman, Baker, Hayes, Tom and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Chang, Chairman, Machida and George as Managers on the part of the Senate at such conference.

A communication from the House

(Hse. Com. No. 501), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1562, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Stanley, Chairman, Baker, Hayes, Tom and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Chang, Chairman, Machida and George as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 502), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1567, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Albano and Kiyabu, Co-Chairman, Hayes, Honda, Kim, Lardizabal, Wong, Yoshimura and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Mizuguchi and A. Kobayashi as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 503), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1587, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Shito, Chairman, Honda, Kim, Matsuura and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Cobb, Chairman, B. Kobayashi, Uwaine and Soares as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 504), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1620, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983,

the Speaker appointed Representatives Hirono, Chairman, Leong, Shito, Tam and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Young, Chairman, Yamasaki and Ajifu as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 505), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1621, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 11, 1983, the Speaker appointed Representatives Hirono and Kiyabu, Co-Chairman, Baker, Chung, Hagino, Tam and Jones as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Yamasaki, Chairman, Young, Solomon and Ajifu as Managers on the part of the Senate at such conference.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 85 to 118) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 85), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND REPRESENTATIVES OF THE APPROPRIATE LEAGUES AND THE TEACHERS' UNION TO DEVELOP AN ADEQUATE COMPENSATION SCHEDULE FOR COACHES," was offered by Senator Abercrombie.

By unanimous consent, S.C.R. No. 85 was referred to the Committee on Education.

A concurrent resolution (S.C.R. No. 86), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE NATIONAL FEDERATION OF THE BLIND TO CONDUCT A STUDY," was offered by Senator Abercrombie.

By unanimous consent, S.C.R. No. 86 was referred to the Committee on Education.

A concurrent resolution (S.C.R. No. 87), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND THE TEACHERS EDUCATION CO-

ORDINATING COMMITTEE TO CONDUCT A STUDY EVALUATING THE MERIT SELECTION OF TEACHERS IN THE DEPARTMENT OF EDUCATION," was offered by Senator Abercrombie.

By unanimous consent, S.C.R. No. 87 was referred to the Committee on Education.

A concurrent resolution (S.C.R. No. 88), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PREPARE A STUDY REGARDING THE FEASIBILITY OF DEVELOPING LEARNING CENTERS FOR ADULTS AND CHILDREN IN ALREADY ESTABLISHED SCHOOLS," was offered by Senator Abercrombie.

By unanimous consent, S.C.R. No. 88 was referred to the Committee on Education.

A concurrent resolution (S.C.R. No. 89), entitled: "SENATE CONCURRENT RESOLUTION DECLARING THE WEEK OF MAY 14 THROUGH 20, 1983, HAWAII GIFTED AND TALENTED CHILDREN'S WEEK," was offered by Senator Abercrombie.

By unanimous consent, S.C.R. No. 89 was referred to the Committee on Education.

A concurrent resolution (S.C.R. No. 90), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A STUDY REGARDING THE FEASIBILITY OF ALLOWING RETIREMENT BENEFITS FOR JOB-SHARING TEACHERS NEARING RETIREMENT AGE IN THE DEPARTMENT OF EDUCATION," was offered by Senator Abercrombie.

By unanimous consent, S.C.R. No. 90 was referred to the Committee on Education.

A concurrent resolution (S.C.R. No. 91), entitled: "SENATE CONCURRENT RESOLUTION CONCURRING WITH THE AMENDMENT OF EXECUTIVE ORDER NO. 1446 COVERING THE WAIKIKI WAR MEMORIAL PARK AND NATATORIUM," was offered by Senators B. Kobayashi and Cobb.

By unanimous consent, S.C.R. No. 91 was referred to the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 92), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO

CONDUCT A COMPREHENSIVE STUDY OF THE HAWAII PROGRAM OF THE WESTERN INTERSTATE COMMISSION ON HIGHER EDUCATION," was offered by Senators Holt, Kuroda, B. Kobayashi, Solomon, Mizuguchi, A. Kobayashi, Uwaine, Young, Cayetano, Abercrombie and Carpenter.

By unanimous consent, S.C.R. No. 92 was referred to the Committee on Higher Education.

A concurrent resolution (S.C.R. No. 93), entitled: "SENATE CONCURRENT RESOLUTION CONCERNING MAKUA AND KAHANAHAIKI," was offered by Senators Aki, Uwaine, Cayetano, Solomon, Ajifu, Yamasaki, Carpenter, Young, B. Kobayashi, Holt, Machida, A. Kobayashi, Hagino, Mizuguchi, Abercrombie and Fernandes Salling.

By unanimous consent, S.C.R. No. 93 was referred to the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 94), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO LEGISLATIVE INTENT OVER THE DEVELOPMENT OF THE KAHANA VALLEY STATE PARK, OAHU," was offered by Senators Aki, Ajifu, Solomon, Young, Kuroda, Yamasaki, Carpenter, Holt, B. Kobayashi, Uwaine, Machida, A. Kobayashi, Henderson, Hagino, Mizuguchi, Abercrombie and Fernandes Salling.

By unanimous consent, S.C.R. No. 94 was referred to the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 95), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY WHICH CONSIDERS TRANSFERRING THE KING KAMEHAMEHA CELEBRATION COMMISSION FROM THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO THE OFFICE OF HAWAIIAN AFFAIRS," was offered by Senators Aki, Cayetano, Solomon, B. Kobayashi, Holt, Young, Carpenter, Uwaine, Machida, Soares, Yamasaki, Hagino, Kuroda, Mizuguchi, Ajifu, A. Kobayashi, Abercrombie, Henderson and Fernandes Salling.

By unanimous consent, S.C.R. No. 95 was referred to the Committee on Culture and Arts.

A concurrent resolution (S.C.R. No. 96), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING

A REVIEW OF VICTIM-WITNESS LEGISLATION AND PROGRAMS," was offered by Senators Carpenter, Uwaine, Fernandes Salling, Young, Machida, B. Kobayashi, Hagino, Cayetano, Abercrombie and Chang.

By unanimous consent, action on S.C.R. No. 96 was deferred until Wednesday, April 13, 1983.

A concurrent resolution (S.C.R. No. 97), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE IMPACT OF THE DEVELOPMENT OF SUBMERGED LANDS IN KE'EHU LAGOON UPON THE DEPARTMENT OF TRANSPORTATION'S HARBOR AND AIRPORT PLANS," was offered by Senator Uwaine.

By unanimous consent, action on S.C.R. No. 97 was deferred until Wednesday, April 13, 1983.

A concurrent resolution (S.C.R. No. 98), entitled: "SENATE CONCURRENT RESOLUTION URGING THE U.S. GENERAL SERVICES ADMINISTRATION TO EXPEDITE STATE ACQUISITION OF FEDERAL LAND AT SALT LAKE, OAHU, FOR THE SITE OF THE SALT LAKE/MOANALUA COMMUNITY LIBRARY," was offered by Senator Wong.

By unanimous consent, action on S.C.R. No. 98 was deferred until Wednesday, April 13, 1983.

A concurrent resolution (S.C.R. No. 99), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE ESTABLISHMENT OF A PUBLIC LIBRARY PORTASTRUCTURE IN THE MOANALUA-SALT LAKE AREA," was offered by Senator Wong.

By unanimous consent, action on S.C.R. No. 99 was deferred until Wednesday, April 13, 1983.

A concurrent resolution (S.C.R. No. 100), entitled: "SENATE CONCURRENT RESOLUTION CONCERNING THE SELLING OF FRESH MILK PRODUCTS," was offered by Senator Ajifu.

By unanimous consent, action on S.C.R. No. 100 was deferred until Wednesday, April 13, 1983.

A concurrent resolution (S.C.R. No. 101), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE ADVISABILITY OF ESTABLISHING A BOARD UNDER THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO LICENSE

PHYSICAL THERAPISTS AND PHYSICAL THERAPIST ASSISTANTS AND REGULATE THE PRACTICE OF PHYSICAL THERAPY," was offered by Senators Machida, A. Kobayashi, Young, Cobb, Fernandes Salling, Cayetano, B. Kobayashi, Mizuguchi, Yamasaki and George.

By unanimous consent, action on S.C.R. No. 101 was deferred until Wednesday, April 13, 1983.

A concurrent resolution (S.C.R. No. 102), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A COMMUNITY-BASED TREATMENT FACILITIES PLAN," was offered by Senators B. Kobayashi, Machida, Carpenter, Toguchi, Young, A. Kobayashi, Ajifu, Aki, Holt and Mizuguchi.

By unanimous consent, action on S.C.R. No. 102 was deferred until Wednesday, April 13, 1983.

A concurrent resolution (S.C.R. No. 103), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING COMMUNITY HOSPITALS, IN CONJUNCTION WITH THE DEPARTMENT OF HEALTH AND DEPARTMENT OF SOCIAL SERVICES AND HOUSING, TO DEVELOP A PLAN FOR THE PROVISION OF LONG-TERM NURSING CARE FOR THE ELDERLY AND LOW-INCOME CITIZENS OF HAWAII," was offered by Senators B. Kobayashi, Carpenter, Toguchi, Young, Machida, A. Kobayashi, Ajifu, Aki, Holt and Mizuguchi.

By unanimous consent, action on S.C.R. No. 103 was deferred until Wednesday, April 13, 1983.

A concurrent resolution (S.C.R. No. 104), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO PROVIDE ADDITIONAL ASSISTANCE TO HAWAII'S BEEF PRODUCERS," was offered by Senators Solomon, B. Kobayashi, Yamasaki, Cayetano, George, Toguchi, A. Kobayashi, Ajifu, Chang, Kawasaki, Uwaine and Young.

By unanimous consent, action on S.C.R. No. 104 was deferred until Wednesday, April 13, 1983.

A concurrent resolution (S.C.R. No. 105), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF EDUCATIONAL AND HEALTH RELATED SERVICES FOR EXCEPTIONAL CHILDREN," was offered by Senators

Machida, Mizuguchi, Yamasaki, Hagino, Aki, A. Kobayashi, Ajifu, Chang, Henderson, Soares, Kawasaki, Cobb and Uwayne.

By unanimous consent, action on S.C.R. No. 105 was deferred until Wednesday, April 13, 1983.

A concurrent resolution (S.C.R. No. 106), entitled: "SENATE CONCURRENT RESOLUTION CONCERNING AN INTERIM COMMITTEE TO STUDY THE STATE'S TAX STRUCTURE," was offered by Senators Henderson, Soares, A. Kobayashi, George and Ajifu.

By unanimous consent, action on S.C.R. No. 106 was deferred until Wednesday, April 13, 1983.

A concurrent resolution (S.C.R. No. 107), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONSIDER THE ADOPTION OF A RULE TO REQUIRE STAMPING THE PROCESSED DATE AND THE PULL DATE ON EACH CARTON OF MILK," was offered by Senators Machida, Hagino, Holt, A. Kobayashi, Ajifu, Uwayne, B. Kobayashi, Chang, Solomon, Cayetano and Aki.

By unanimous consent, action on S.C.R. No. 107 was deferred until Wednesday, April 13, 1983.

A concurrent resolution (S.C.R. No. 108), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONTINUATION OF THE LEGISLATIVE AUDITOR'S INVENTORY OF LANDS IN THE PUBLIC TRUST AND THE POSSIBLE CONFLICTING CLAIMS MADE ON REVENUES DERIVED THEREFROM," was offered by Senator Young.

By unanimous consent, action on S.C.R. No. 108 was deferred until Wednesday, April 13, 1983.

A concurrent resolution (S.C.R. No. 109), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO A FEASIBILITY STUDY CONCERNING THE WITHDRAWAL OF THE STATE OF HAWAII FROM THE SOCIAL SECURITY SYSTEM," was offered by Senator Chang.

By unanimous consent, action on S.C.R. No. 109 was deferred until Wednesday, April 13, 1983.

A concurrent resolution (S.C.R. No. 110), entitled: "SENATE CONCURRENT RESOLUTION URGING THE INCLUSION OF ADDITIONAL ISSUES

FOR CONSIDERATION BY THE ADVISORY STUDY COMMISSION ON WATER RESOURCES," was offered by Senator Chang.

By unanimous consent, action on S.C.R. No. 110 was deferred until Wednesday, April 13, 1983.

A concurrent resolution (S.C.R. No. 111), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF MAKING HAWAII A CENTER FOR THE INSURANCE BUSINESS," was offered by Senators Aki and Cayetano.

By unanimous consent, action on S.C.R. No. 111 was deferred until Wednesday, April 13, 1983.

A concurrent resolution (S.C.R. No. 112), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A JOINT INTERIM COMMITTEE TO ENCOURAGE THE PARTICIPATION OF COUNTY, STATE AND FEDERAL AGENCIES AND THE PRIVATE SECTOR IN THE IDENTIFICATION AND IMPLEMENTATION OF INTER-GOVERNMENTAL PERMIT STREAMLINING AND SIMPLIFICATION," was offered by Senators Aki and Cayetano.

By unanimous consent, action on S.C.R. No. 112 was deferred until Wednesday, April 13, 1983.

A concurrent resolution (S.C.R. No. 113), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STATUS REPORT ON IMPLEMENTATION OF THE FINAL CONCEPTUAL PLAN FOR THE DIAMOND HEAD STATE MONUMENT," was offered by Senators Cobb, B. Kobayashi, Yamasaki, Chang, Hagino, Machida, A. Kobayashi, Ajifu and Kuroda.

By unanimous consent, action on S.C.R. No. 113 was deferred until Wednesday, April 13, 1983.

A concurrent resolution (S.C.R. No. 114), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT ALL ACTION PERTAINING TO KALAKAUA MALL CONSTRUCTION AND KALAKAUA SIDEWALK-WIDENING AND ROAD-NARROWING CEASE UNTIL THE STATE LEGISLATURE HAS HAD THE OPPORTUNITY TO HOLD PUBLIC HEARINGS AND REVIEW PROJECT PLANS," was offered by Senators Cobb, B. Kobayashi, Chang, Hagino and Ajifu.

By unanimous consent, action on S.C.R. No. 114 was deferred until Wednesday, April 13, 1983.

A concurrent resolution (S.C.R. No. 115), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING COORDINATED EFFORTS IN ENSURING COMPLIANCE OF UNLICENSED CONTRACTORS WITH THE HAWAII REVISED STATUTES," was offered by Senators Cobb, Chang, B. Kobayashi, Young, Uwaine, Yamasaki, Hagino, Machida, A. Kobayashi, Ajifu and Kuroda.

By unanimous consent, action on S.C.R. No. 115 was deferred until Wednesday, April 13, 1983.

A concurrent resolution (S.C.R. No. 116), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ACQUIRING BY LAND EXCHANGE THE FORMER OKIMOTO DRUG STORE SITE AND BUILDING IN WAHIAWA, OAHU, FOR RENOVATION INTO A SENIOR CITIZENS COMMUNITY CENTER," was offered by Senator Hagino.

By unanimous consent, action on S.C.R. No. 116 was deferred until Wednesday, April 13, 1983.

A concurrent resolution (S.C.R. No. 117), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO ENCOURAGE PUBLIC AND PRIVATE PARTNERSHIPS TO ADDRESS COMMUNITY NEEDS," was offered by Senator Wong, by request.

By unanimous consent, action on S.C.R. No. 117 was deferred until Wednesday, April 13, 1983.

A concurrent resolution (S.C.R. No. 118), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONGRESS AND PRESIDENT OF THE UNITED STATES TO AUTHORIZE THE NATIONAL AQUACULTURE ACT OF 1980," was offered by Senator Wong, by request.

By unanimous consent, action on S.C.R. No. 118 was deferred until Wednesday, April 13, 1983.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 109 to 146) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 109), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REQUIRE SECONDARY SCHOOLS TO HOLD AN ANNUAL COMMUNITY MEETING FOR THE PURPOSE OF INFORMING THE

COMMUNITY OF SCHOOL PRIORITIES, PROGRAMS AND POLICIES," was offered by Senator Abercrombie.

By unanimous consent, S.R. No. 109 was referred to the Committee on Education.

A resolution (S.R. No. 110), entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A COMPREHENSIVE STUDY OF THE HAWAII PROGRAM OF THE WESTERN INTERSTATE COMMISSION ON HIGHER EDUCATION," was offered by Senators Holt, Kuroda, B. Kobayashi, Solomon, Mizuguchi, Uwaine, A. Kobayashi, Young, Cayetano, Abercrombie and Carpenter.

By unanimous consent, action on S.R. No. 110 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 111), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A STUDY AND TO FORM A COMMITTEE TO DETERMINE THE AREAS IN WHICH TRAINING IS NEEDED FOR EDUCATIONAL ASSISTANTS," was offered by Senator Abercrombie.

By unanimous consent, action on S.R. No. 111 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 112), entitled: "SENATE RESOLUTION RELATING TO THE COORDINATION OF SERVICES TO NATIVE HAWAIIANS AND HAWAIIANS," was offered by Senator Fernandes Salling.

By unanimous consent, action on S.R. No. 112 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 113), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ACQUIRING BY LAND EXCHANGE THE FORMER OKIMOTO DRUG STORE SITE AND BUILDING IN WAHIAWA, OAHU, FOR RENOVATION INTO A SENIOR CITIZENS COMMUNITY CENTER," was offered by Senator Hagino.

By unanimous consent, action on S.R. No. 113 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 114), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE IMPACT OF THE DEVELOPMENT OF SUBMERGED LANDS IN KE'EHU LAGOON UPON THE DEPARTMENT OF TRANS-

PORTATION'S HARBOR AND AIRPORT PLANS," was offered by Senator Uwaine.

By unanimous consent, action on S.R. No. 114 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 115), entitled: "SENATE RESOLUTION URGING THE U.S. GENERAL SERVICES ADMINISTRATION TO EXPEDITE STATE ACQUISITION OF FEDERAL LAND AT SALT LAKE, OAHU, FOR THE SITE OF THE SALT LAKE/MOANALUA COMMUNITY LIBRARY," was offered by Senator Wong.

By unanimous consent, action on S.R. No. 115 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 116), entitled: "SENATE RESOLUTION RELATING TO THE ESTABLISHMENT OF A PUBLIC LIBRARY PORTASTRUCTURE IN THE MOANALUA-SALT LAKE AREA," was offered by Senator Wong.

By unanimous consent, action on S.R. No. 116 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 117), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT AN INVESTIGATION OF THE STATE'S MARINE SHRIMP PROGRAM," was offered by Senator Hagino.

By unanimous consent, action on S.R. No. 117 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 118), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE RISKS AND HAZARDS PECULIAR TO HIGH-RISE LIVING," was offered by Senator Hagino.

By unanimous consent, action on S.R. No. 118 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 119), entitled: "SENATE RESOLUTION CONCERNING THE BOARD OF EDUCATION," was offered by Senator Ajifu.

By unanimous consent, action on S.R. No. 119 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 120), entitled: "SENATE RESOLUTION CONCERNING THE SELLING OF

FRESH MILK PRODUCTS," was offered by Senator Ajifu.

By unanimous consent, action on S.R. No. 120 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 121), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF HAWAII'S HUMAN SERVICES PROVIDERS TO IDENTIFY GOALS AND OBJECTIVES AND DUPLICATION OF SERVICES, ESTABLISH PRIORITIES OF SERVICES, AND TO EVALUATE THE IMPLEMENTATION OF ACT 207, SESSION LAWS OF HAWAII 1981," was offered by Senators Machida, Mizuguchi, Solomon, A. Kobayashi, Young, Cobb, Fernandes Salling, Cayetano, B. Kobayashi, Soares, Yamasaki and George.

By unanimous consent, action on S.R. No. 121 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 122), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE ADVISABILITY OF ESTABLISHING A BOARD UNDER THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO LICENSE PHYSICAL THERAPISTS AND PHYSICAL THERAPIST ASSISTANTS AND REGULATE THE PRACTICE OF PHYSICAL THERAPY," was offered by Senators Machida, A. Kobayashi, Young, Cobb, Fernandes Salling, Cayetano, B. Kobayashi, Mizuguchi, Yamasaki and George.

By unanimous consent, action on S.R. No. 122 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 123), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A COMMUNITY-BASED TREATMENT FACILITIES PLAN," was offered by Senators B. Kobayashi, Machida, Carpenter, Toguchi, Young, A. Kobayashi, Ajifu, Aki, Holt and Mizuguchi.

By unanimous consent, action on S.R. No. 123 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 124), entitled: "SENATE RESOLUTION REQUESTING COMMUNITY HOSPITALS, IN CONJUNCTION WITH THE DEPARTMENT OF HEALTH AND DEPARTMENT OF SOCIAL SERVICES AND HOUSING, TO DEVELOP A PLAN FOR THE PROVISION OF LONG-TERM NURSING CARE FOR THE ELDERLY AND LOW-INCOME CITIZENS OF

HAWAII," was offered by Senators B. Kobayashi, Carpenter, Toguchi, Young, Machida, A. Kobayashi, Ajifu, Aki, Holt and Mizuguchi.

By unanimous consent, action on S.R. No. 124 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 125), entitled: "SENATE RESOLUTION REQUESTING THE HAWAII SMALL BUSINESS ADVISORY COMMITTEE AND OTHER BUSINESS GROUPS TO IDENTIFY SPECIFIC STATE ADMINISTRATIVE AGENCY RULES AND PROCEDURES WHICH ARE UNREASONABLY COSTLY OR BURDENSOME TO BUSINESS GENERALLY AND SMALL BUSINESS SPECIFICALLY," was offered by Senators B. Kobayashi, Carpenter, Toguchi, Young, Machida, A. Kobayashi, Ajifu, Aki, Holt and Mizuguchi.

By unanimous consent, action on S.R. No. 125 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 126), entitled: "SENATE RESOLUTION RELATING TO A POLICY ON LONG TERM CARE FOR THE ELDERLY," was offered by Senators Solomon, B. Kobayashi, Yamasaki, Toguchi, Ajifu, Chang, Uwaine, Young, Kawasaki, Cayetano, George and A. Kobayashi.

By unanimous consent, action on S.R. No. 126 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 127), entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO PROVIDE ADDITIONAL ASSISTANCE TO HAWAII'S BEEF PRODUCERS," was offered by Senators Solomon, B. Kobayashi, Yamasaki, Cayetano, George, A. Kobayashi, Ajifu, Toguchi, Kawasaki, Chang, Uwaine and Young.

By unanimous consent, action on S.R. No. 127 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 128), entitled: "SENATE RESOLUTION CONVENING A JOINT DISCUSSION GROUP, UNDER THE LEADERSHIP OF THE SENATE COMMITTEE ON HEALTH, TO STUDY THE PROBLEMS ATTENDANT TO THE LONG-TERM CARE OF HAWAII'S ELDERLY AND LOW-INCOME PATIENTS," was offered by Senators Machida, Mizuguchi, Yamasaki, George, Hagino, B. Kobayashi, Aki, A. Kobayashi, Ajifu, Chang, Henderson, Soares, Cobb,

Kawasaki and Uwaine.

By unanimous consent, action on S.R. No. 128 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 129), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO STUDY THE STATUS OF CONTRACTUAL RELATIONSHIPS EXISTING BETWEEN THE STATE DEPARTMENT OF HEALTH AND THE SEVERAL COUNTIES FOR THE EFFICIENT DELIVERY OF AND TIMELY REIMBURSEMENTS FOR EMERGENCY MEDICAL SERVICES," was offered by Senators Machida, Mizuguchi, Yamasaki, George, Hagino, B. Kobayashi, Aki, Uwaine, Kawasaki, A. Kobayashi, Ajifu, Chang, Henderson, Soares and Cobb.

By unanimous consent, action on S.R. No. 129 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 130), entitled: "SENATE RESOLUTION RECOGNIZING THE IMUA DAY HEALTH CENTER AS AN EFFECTIVE AND COST EFFICIENT ALTERNATIVE TO LONG-TERM INSTITUTIONALIZATION AND ENCOURAGING OTHER HEALTH CARE PROVIDERS TO PROVIDE SUCH SERVICES," was offered by Senators Machida, Mizuguchi, Yamasaki, Hagino, A. Kobayashi, Ajifu, Chang, Henderson, Soares, Cobb and Uwaine.

By unanimous consent, action on S.R. No. 130 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 131), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO STUDY THE FEASIBILITY OF RENOVATING THE COUNTY MORGUES FOR USE AS CIVILIAN PEACE TIME RADIATION DECONTAMINATION CENTERS," was offered by Senators Machida, Yamasaki, Mizuguchi, Aki, A. Kobayashi, Ajifu, Chang, Soares, Cobb, Kawasaki and Uwaine.

By unanimous consent, action on S.R. No. 131 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 132), entitled: "SENATE RESOLUTION REQUESTING A DESIGN STUDY OF AN UNDERWATER CABLE SYSTEM FOR THE ELECTRICAL INTERCONNECTION OF THE ISLANDS OF MAUI AND MOLOKAI," was offered by Senators Machida, Mizuguchi, Yamasaki, George, B. Kobayashi, Aki, A.

Kobayashi, Ajifu, Chang, Henderson, Soares, Cobb, Kawasaki and Uwaine.

By unanimous consent, action on S.R. No. 132 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 133), entitled: "SENATE RESOLUTION CONCERNING AN INTERIM COMMITTEE TO STUDY THE STATE'S TAX STRUCTURE," was offered by Senators Henderson, George, A. Kobayashi, Soares and Ajifu.

By unanimous consent, action on S.R. No. 133 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 134), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONSIDER THE ADOPTION OF A RULE TO REQUIRE STAMPING THE PROCESSED DATE AND THE PULL DATE ON EACH CARTON OF MILK," was offered by Senators Machida, Hagino, Holt, A. Kobayashi, Ajifu, B. Kobayashi, Chang, Solomon, Cayetano and Aki.

By unanimous consent, action on S.R. No. 134 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 135), entitled: "SENATE RESOLUTION REQUESTING THE CONTINUATION OF THE LEGISLATIVE AUDITOR'S INVENTORY OF LANDS IN THE PUBLIC TRUST AND THE POSSIBLE CONFLICTING CLAIMS MADE ON REVENUES DERIVED THEREFROM," was offered by Senator Young.

By unanimous consent, action on S.R. No. 135 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 136), entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE THE APPROPRIATE STATE AGENCY TO PROVIDE CHILD ABUSE AND NEGLECT PREVENTION SERVICES," was offered by Senators Solomon, Toguchi, Cayetano, B. Kobayashi, Holt, Chang, Uwaine, Aki and Kuroda.

By unanimous consent, action on S.R. No. 136 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 137), entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON ECONOMIC DEVELOPMENT TO CONDUCT AN INTERIM STUDY ON SIGNIFICANT STATEWIDE INTEREST AFFECTED BY LAND USE RECLAS-

SIFICATION," was offered by Senator Aki.

By unanimous consent, action on S.R. No. 137 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 138), entitled: "SENATE RESOLUTION RELATING TO A FEASIBILITY STUDY CONCERNING THE WITHDRAWAL OF THE STATE OF HAWAII FROM THE SOCIAL SECURITY SYSTEM," was offered by Senator Chang.

By unanimous consent, action on S.R. No. 138 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 139), entitled: "SENATE RESOLUTION URGING QUANTAS AIRWAYS TO RETURN TO MEANINGFUL NEGOTIATIONS WITH THE INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS, TOWARDS THE END OF RESTORATION OF JOBS TO DISCHARGED AND LOCKED OUT EMPLOYEES," was offered by Senators Chang, Machida, Mizuguchi, A. Kobayashi, Fernandes Salling, Carpenter and Hagino.

By unanimous consent, action on S.R. No. 139 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 140), entitled: "SENATE RESOLUTION REQUESTING THE CITY DIRECTOR OF FINANCE IN CONJUNCTION WITH THE HAWAII HUMANE SOCIETY TO CONDUCT A FEASIBILITY STUDY ON STANDARDIZATION OF RESTRAINING EQUIPMENT FOR DOGS," was offered by Senators Chang, Fernandes Salling, Machida, Mizuguchi, George, A. Kobayashi, Ajifu and Hagino.

By unanimous consent, action on S.R. No. 140 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 141), entitled: "SENATE RESOLUTION REQUESTING THE CORPS OF ENGINEERS TO CONDUCT A STUDY ON THE NEIGHBOR ISLANDS BEACH EROSION," was offered by Senators Chang, Machida, Mizuguchi, George, Ajifu, Fernandes Salling and Hagino.

By unanimous consent, action on S.R. No. 141 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 142), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF MAKING HAWAII A CENTER FOR THE INSURANCE

BUSINESS," was offered by Senators Aki and Cayetano.

By unanimous consent, action on S.R. No. 142 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 143), entitled: "SENATE RESOLUTION REQUESTING A STATUS REPORT ON THE IMPLEMENTATION OF THE FINAL CONCEPTUAL PLAN FOR THE DIAMOND HEAD STATE MONUMENT," was offered by Senators Cobb, B. Kobayashi, Yamasaki, Chang, Hagino, Machida, A. Kobayashi, Ajifu and Kuroda.

By unanimous consent, action on S.R. No. 143 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 144), entitled: "SENATE RESOLUTION REQUESTING THAT ALL ACTION PERTAINING TO KALAKAUA MALL CONSTRUCTION AND KALAKAUA SIDEWALK-WIDENING AND ROAD-NARROWING CEASE UNTIL THE STATE LEGISLATURE HAS HAD THE OPPORTUNITY TO HOLD PUBLIC HEARINGS AND REVIEW PROJECT PLANS," was offered by Senators Cobb, B. Kobayashi, Chang, Hagino and Ajifu.

By unanimous consent, action on S.R. No. 144 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 145), entitled: "SENATE RESOLUTION REQUESTING COORDINATED EFFORTS IN ENSURING COMPLIANCE OF UNLICENSED CONTRACTORS WITH THE HAWAII REVISED STATUTES," was offered by Senators Cobb, Chang, B. Kobayashi, Young, Uwayne, Yamasaki, Hagino, Machida, A. Kobayashi, Ajifu and Kuroda.

By unanimous consent, action on S.R. No. 145 was deferred until Wednesday, April 13, 1983.

A resolution (S.R. No. 146), entitled: "SENATE RESOLUTION REQUESTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT OVERSIGHT HEARINGS ON THE CITY AND COUNTY OF HONOLULU'S PROPOSED SOLID WASTE RESOURCE RECOVERY PLANT," was offered by Senator Mizuguchi.

By unanimous consent, action on S.R. No. 146 was deferred until Wednesday, April 13, 1983.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 871) informing the Senate that Governor's Message Nos. 277 to 286, Senate Concurrent Resolution Nos. 85 to 99, Senate Resolution Nos. 109 to 118 and Standing Committee Report Nos. 872 to 874 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 872) recommending that H.B. No. 1380 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1380, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 14, 1983.

Senator Machida, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 873) recommending that H.B. No. 237 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and H.B. No. 237, entitled: "A BILL FOR AN ACT RELATING TO THE CONTROL OF TUBERCULOSIS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 14, 1983.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 874) recommending that H.B. No. 240 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 240, entitled: "A BILL FOR AN ACT RELATING TO THE REQUIRED BLOOD SAMPLES OF PREGNANT WOMEN," passed Second Reading and was placed on the

calendar for Third Reading on Thursday, April 14, 1983.

ORDER OF THE DAY

FINAL READING

Senate Bill No. 117, H.D. 1:

Senator Cobb moved that S.B. No. 117, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

At this time, Senator Kawasaki rose and stated:

"Mr. President, would the subject matter chairman yield to some questions that I have on this bill?"

Senator Hagino answered in the affirmative and Senator Kawasaki continued:

"This bill permits the Governor to call out the National Guard in situations which are not declared as emergencies. He can call them out for training and any other purpose. I understand that most of the cost of carrying on the activities of the National Guard is federally subsidized but we do have a sizeable appropriation from the State of Hawaii. In the event that he does call-out the National Guard for reasons known to himself, when it is not an emergency situation, do we have any provisions for funding such a calling out of manpower, which could be a costly proposition?"

Senator Hagino replied:

"Yes, Mr. President, there is a provision under current services to fund call out of the National Guard. I might add that this has been done previously in terms of calling out the Guard, for example, like the Royal Guard for various parades, inaugurations and other things like that."

Senator Kawasaki then queried:

"And so far, these non-emergency situation calling out costs have been adequately covered by the appropriations provided for the National Guard both from federal funds and out state funds?"

Senator Hagino replied:

"Yes, basically state funds and I believe that the highest amount was about \$7,000 for one year."

Senator Kawasaki then continued:

"Is there any kind of a check that we have so that the Governor...you know we have had all categories of people serving as Governor over the years...a Governor could very arbitrarily try to call out the National Guard when perhaps it was not necessary. Do we have any kind of a check over his decision to call out the Guard which will be authorized if this bill passes...a check either by the Legislature...some kind of control over the judgement of the Governor to call out the Guard for non-emergency situations?"

Senator Hagino replied:

"There is no check per se that's written down. I think it's like the Governor's discretionary fund where, you know, he has to be held accountable for whatever money he spends."

Senator Kawasaki then stated:

"Thank you."

Senator Abercrombie then rose and stated:

"Mr. President, would the chairman yield to further questions?"

Senator Hagino replied in the affirmative and Senator Abercrombie then queried:

"Mr. President, would the chairman please respond to the following. This is with respect to the report of the Finance Committee. 'This bill would provide the Department with needed flexibility,'...I emphasize 'needed flexibility' to place National Guardsmen'...and I presume that means guards...there are women in the National Guard, as well, I presume ...'in the state active service for purposes other than war, insurrection, riot, imminent danger, or for assistance to civil authorities in disaster relief.' I take it that the National Guard is prepared to all of those things. Is that correct? To meet emergencies of war, insurrection, invasion, riot, imminent danger and assist civil authorities in disaster relief?"

Senator Hagino replied:

"That is correct, Mr. President."

Senator Abercrombie then queried:

"Then, Mr. President, could the chairman explain what 'needed flexibility' means?"

Senator Hagino then replied:

"Briefly, as I stated earlier, I think some of the previous reasons the Guard was called out was essentially for Royal Guard ceremonious occasions, and also they've been used for volcano observations when the volcano was active and to ascertain whether there was any danger, and how far the danger was going to be or what areas would be affected...and for forest fires, they've been called out for that."

Senator Abercrombie then stated:

"Mr. President, I understand the last remarks about forest fires and volcanoes. That presumably is imminent danger, disaster relief, et cetera. Now, perhaps the chairman would elaborate as to what ceremonious occasions there are that are necessary to call out the National Guard? Are those people in the National Guard, who otherwise lead civilian existence, to be called out for escorting, say, Senators into chambers, or at the whim of political forces whenever they want to have a display of military prowess? What precisely does the chairman mean by 'occasions other than which is already authorized' -- ceremonial occasions? What would authorize us to do this? Why are we going to do that, to have them out here for ceremonial occasions?"

Senator Hagino then replied:

"Mr. President, as I indicated earlier, many of these functions that are called for are ceremonial in nature, like the Kamehameha Day Parade and the Aloha Week Parade. These are not just the National Guards. They are in the National Guard, but these Royal Guards. These are people of Hawaiian ancestry that make up the Royal Guard."

Senator Abercrombie then queried:

"Mr. President, perhaps then the chairman would be good enough to tell me exactly what the costs are in terms of what is anticipated, as long as we're going into the Royal Guards now. I thought it was the National Guard. I thought this had something to do with what is constitutionally referred to as the State Militia and the intent of the State Militia and/or aiding and supplementing the Armed Forces of the United States. I believe we already have Royal Guards. We already have city functions and rightly so, with respect to this.

"What has been presented to the Ways and Means Committee in terms of expenditures and expectations? I think that question is in order, Mr. President, given the budget cut situation that we face?"

Senator Hagino then replied:

"Again, Mr. President, roughly the highest amount per year was \$7,000. It took care of all types of call-outs, but basically for the ceremonial functions. I believe it depends on how long the function lasted, as for example, the parade. I believe that it would not go over \$100 or at the most \$200."

Senator Abercrombie then queried:

"How many people are involved for \$100 or at the most \$200? What does the chairman base this estimate on?"

Senator Hagino then stated:

"Mr. President, I don't have the exact details, but I do have it in my office...you know, the exact dollar figures for all of these functions."

Senator Abercrombie then stated:

"Mr. President, would the chairman indicate, inasmuch as the Governor did not have the authority prior to the passage of this bill, to activate the Guard for non-emergency situations, does he not anticipate then with specific authorization to do so that the costs associated with those activities previously cited would increase, perhaps, enormously...inasmuch as, according to this bill, there will be no way for the National Guard to react one way or another, other than to submit to the request of the Governor? I think that question is in order inasmuch as the language did not exist prior to putting this bill before us for passage."

At 11:55 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:10 o'clock p.m.

The President then stated:

"In talking with several of the Senators, I think there's some concern about various bills. In order to facilitate matters today and tomorrow, all matters on Final Reading are deferred one day in order that members may have an opportunity to have their concerns resolved."

Senator Soares then rose and stated:

"Mr. President, I rise on a point of personal privilege."

Senator Abercrombie then stated:

"Mr. President, point of order. I believe I had the floor when we took to recess."

The President then stated:

"The Chair stands corrected. Senator Abercrombie had the floor when we took a recess."

Senator Abercrombie then stated:

"Thank you, Mr. President. Mr. President, at this time I would like to yield the floor back to the Chair."

The President replied:

"Thank you."

Senator Soares then stated:

"Mr. President, I just thought I'd call for the services of Senator Kobayashi, who's a school teacher; Senator Abercrombie, who's a professor; and other Senators...and Senator Uwaine, of course...to begin classes so that we can get the homework done on these bills and move things along faster."

Senator Abercrombie then stated:

"Mr. President, may I just offer an observation at this time. I appreciate the fact of your recognizing the procedure at the end of the time. I'm so pleased with myself that I was able to do so without asking Senator Cobb to help me with a motion."

By unanimous consent, action on S.B. No. 117, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD," was deferred until Wednesday, April 13, 1983.

Senate Bill No. 177, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 177, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," was deferred until Wednesday, April 13, 1983.

Senate Bill No. 182, H.D. 1:

By unanimous consent, action on S.B. No. 182, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DISPENSING OPTI-

CIANS," was deferred until Wednesday, April 13, 1983.

Senate Bill No. 186, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 186, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE INVESTIGATORS AND GUARDS," was deferred until Wednesday, April 13, 1983.

Senate Bill No. 203, H.D. 1:

By unanimous consent, action on S.B. No. 203, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE AND CHILDREN," was deferred until Wednesday, April 13, 1983.

Senate Bill No. 343, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 343, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES," was deferred until Wednesday, April 13, 1983.

Senate Bill No. 18, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 18, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAIR BUSINESS PRACTICES," was deferred until Wednesday, April 13, 1983.

Senate Bill No. 366, H.D. 1:

By unanimous consent, action on S.B. No. 366, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON TRANSPORTATION," was deferred until Wednesday, April 13, 1983.

Senate Bill No. 507, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 507, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAGE AND HOUR LAW," was deferred until Wednesday, April 13, 1983.

Senate Bill No. 520, H.D. 1:

By unanimous consent, action on S.B. No. 520, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HOUSING AUTHORITY," was deferred until Wednesday, April 13, 1983.

Senate Bill No. 525, H.D. 1:

By unanimous consent, action on S.B. No. 525, H.D. 1, entitled: "A

BILL FOR AN ACT RELATING TO DRIVER LICENSING," was deferred until Wednesday, April 13, 1983.

Senate Bill No. 640, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. 640, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS," was deferred until Wednesday, April 13, 1983.

Senate Bill No. 741, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 741, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTY VEHICULAR TAX REFUNDS; VEHICLES REMOVED FROM THE STATE; JUNKED VEHICLES; VEHICLES BROUGHT INTO THE STATE; EXEMPTIONS FOR STORED VEHICLES," was deferred until Wednesday, April 13, 1983.

Senate Bill No. 749, H.D. 1:

By unanimous consent, action on S.B. No. 749, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was deferred until Wednesday, April 13, 1983.

Senate Bill No. 757, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 757, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," was deferred until Wednesday, April 13, 1983.

Senate Bill No. 965, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 965, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred until Wednesday, April 13, 1983.

Senate Bill No. 977, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 977, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," was deferred until Wednesday, April 13, 1983.

Senate Bill No. 1057, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1057, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER EDUCATION," was deferred until Wednesday, April 13, 1983.

Senate Bill No. 1288, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1288, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOXING," was deferred until Wednesday, April 13, 1983.

Senate Bill No. 1292, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1292, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT OF THE HOLO HOLO CASES," was deferred until Wednesday, April 13, 1983.

Senate Bill No. 1294, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1294, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALLOWANCES FOR LEGISLATORS," was deferred until Wednesday, April 13, 1983.

ADVISE AND CONSENT

Standing Committee Report No. 867 (Gov. Msg. Nos. 83, 163, 84, 164, 258, 85, 165, 166, 259, 86, 167, 168, 169 and 211):

Senator Cobb moved that Stand. Com. Rep. No. 867 be received and placed on file, seconded by Senator Chang and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Phyllis N.T. Shea, to the Board of Public Accountancy, term to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of David Cheever and Howard R. Hanada, to the Board of Public Accountancy, terms to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Mabel C.S. Chang, to the Board of Acupuncture, term to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Mike M. Hashimoto, to the Board of Acupuncture, term to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Victor J. Elizalde, to the Board of Barbers, term to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Robert M. Lee, to the Boxing Commission, term to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of George Kaahanui, Jr., to the Boxing Commission, term to expire December 31, 1984, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of Henry Joseph Ellis and Mitsuru Mitchell Ouye to the CATV Advisory Committee, terms to expire December 31, 1986, seconded by

Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Nathalie Davies Tucker, D.C., to the Board of Chiropractic Examiners, term to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of Harry M. Ushijima and Alan G. Meyers, Sr., to the Contractors License Board, terms to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Wilbert S. Toma, to the Contractors License Board, term to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Edna H. Kano, to the Board of Cosmetology, term to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of Milton W.Y. Lum, Helen Smith and Leslie Yaka, to the Credit Union Review Board, terms to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair

and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of George A. Kanna, D.D.S. and Lawrence K.W. Tseu, D.D.S., to the Board of Dental Examiners, terms to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 868 (Gov. Msg. Nos. 87, 170, 222, 88, 223, 89, 90, 91, 224, 171, 172, 92, 260, 93, 261, 262, 173, 94 and 174):

Senator Cobb moved that Stand. Com. Rep. No. 868 be received and placed on file, seconded by Senator Chang and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of George K. Hall, to the Board of Electricians and Plumbers, term to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of Bernard T. Miura and Leo Polo, Jr., to the Board of Electricians and Plumbers, terms to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Glenn Kenji Shibata, to the Elevator Mechanics Licensing Board, term to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the

Senate advise and consent to the nomination of Walter K. Tagawa, to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, term to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of George S. Yoshimura and Mary Ann Barnard, to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, terms to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Robert H. McKay, to the Board of Hearing Aid Dealers and Fitters, term to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Edson Hoo, to the Board of Massage, term to expire December 31, 1985, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Samuel Haraguchi, M.D., to the Board of Medical Examiners, term to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the

Senate advise and consent to the nominations of Merne C. Farrell, Henry T. Oyama, M.D. and Livingston Wong, M.D., to the Board of Medical examiners, terms to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of Joseph Walsh Hanley and Shozo Sato, to the Motor Vehicle Industry Licensing Board, terms to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of Raymond S.Y. Luke and Van H. Takemoto, to the Motor Vehicle Repair Industry Board, terms to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Claire R. Alfler, to the State Board of Nursing, term to expire December 31, 1985, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of Adele D.S. Mitchell, Dorothy Ann Park and Violet L. Nakamura, to the Board of Nursing, terms to expire December 31, 1985, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the

nomination of Virginia S.K. Kam, to the Board of Dispensing Opticians, term to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of the following:

Lorraine Shirai, to the Board of Dispensing Opticians, term to expire December 31, 1984; and

Ted H. Yamada, to the Board of Dispensing Opticians, term to expire December 31, 1986,

seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Rod G. Bjordahl, D.O., to the Board of Osteopathic Examiners, term to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Dewey W.K. Tom, to the Board of Examiners in Optometry, term to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of James E. DeMello to the Board of Pharmacy, term to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the

Senate advise and consent to the nomination of Harold Yoshio Kawaguchi, to the Board of Pharmacy, term to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 869 (Gov. Msg. Nos. 225, 95, 175, 96, 226, 97, 98, 263, 99, 176):

Senator Cobb moved that Stand. Com. Rep. No. 869 be received and placed on file, seconded by Senator Chang and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Roland M. Logan, to the Board of Pilot Commissioners, term to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Craig Robinson, to the Board of Certification for Practicing Psychologists, term to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of the following:

Jane Hardy Jones, Ed.D, to the Board of Certification for Practicing Psychologists, term to expire December 31, 1986;

Joel Albert Dunston, to the Board of Certification for Practicing Psychologists, term to expire December 31, 1985; and

Faith Okihiro Lebb, to the Board of Certification for Practicing Psychologists, term to expire December 31, 1986,

seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing

of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of George A. Morris, to the Real Estate Commission, term to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Yukio Takeya, to the Real Estate Commission, term to expire December 31, 1985, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Dennis T. Sekine, to the Board of Speech Pathology and Audiology, term to expire December 31, 1985, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Sandra K. Harada, to the Board of Speech Pathology and Audiology, term to expire December 31, 1985, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Stella Satake, to the Board of Speech Pathology and Audiology, term to expire December 31, 1985, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of John B. Belfrage, D.V.M., to the Board of Veterinary Examiners, term to expire December 31, 1985, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations of Allen Y. Miyahara, D.V.M. and David Bard Mackay, D.V.M., to the Board of Veterinary Examiners, terms to expire December 31, 1986, seconded by Senator Chang.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senator Abercrombie rose and stated:

"Mr. President, I realize yesterday was a hectic day in terms of the filing of all the various and sundry resolutions, so I have an inquiry of the Chair. Are there still some resolutions in the process of coming through the mill from yesterday? The reason I ask is that I believe one that we did have in on time is not listed as yet. There may be others. I assume it's just a matter of logistics."

At 12:15 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:17 o'clock p.m.

Senator Cobb then rose and stated:

"Mr. President, rising on a point of order. The cutoff date for substantive resolutions is today, 4:30 p.m., for the introduction of all substantive resolutions on the calendar of legislative events, and any resolutions brought to the Clerk by 4:30 would be introduced. Printing, I assume, would take at least one day and referral the day after that."

Senator Abercrombie then replied:

"Thank you, Mr. President."

At 12:19 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:20 o'clock p.m.

The President then stated:

"At this time, the Chair would like to thank the Republicans for their present. I appreciate it very much. I will hope to live this down. I have a medal here. It says, 'No more Mr. Nice Guy.' Thank you very much."

At 12:21 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:22 o'clock p.m.

The President then stated:

"Before proceeding with further announcements, the Chair would like to inform the members of the Senate that a list showing the reorganization of the subject matter committees has been circulated which shall take effect immediately.

"At this time, the Chair would like to appoint...."

Senator Carpenter then interjected:

"Mr. President, I don't have a copy on my desk."

At 12:23 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:30 o'clock p.m.

The President then stated:

"The Chair wishes to apologize to the members of the Senate on the distribution of the reassignment list."

The President then appointed Senator Machida as an additional Manager on the part of the Senate at the conference to be held for the consideration of amendments made by the Senate to H.B. No. 1, H.D. 1.

RECONSIDERATION OF ACTIONS TAKEN

Senator Cobb moved that the Senate reconsider its action taken on April 7, 1983 on S.B. No. 176, S.D. 1, H.D. 1, seconded by Senator Chang.

Senator Cobb then stated as follows:

"Mr. President, there were minor technical differences and we were able to iron them out in conference and

agreed to agree with the House position on the matter."

The motion to reconsider the action was put by the Chair and carried.

On motion by Senator Cobb, seconded by Senator Chang and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 176, S.D. 1, H.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 176, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS AND PLUMBERS."

The President then discharged the Managers who were appointed on April 8, 1983 on the part of the Senate for the conference to consider the amendments proposed by the House to S.B. No. 176, S.D. 1.

Senator Cobb then moved that the Senate reconsider its action taken on April 7, 1983 on S.B. No. 179, S.D. 1, H.D. 1, seconded by Senator Chang and carried.

On motion by Senator Cobb, seconded by Senator Chang and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 179, S.D. 1, H.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 179, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS AND SOLICITORS."

The President then discharged the Managers who were appointed on April 8, 1983 on the part of the Senate for the conference to consider the amendments proposed by the House to S.B. No. 179, S.D. 1.

At this time, Senator Abercrombie rose and stated:

"Mr. President, with respect to the Senate Standing Committee list that you have circulated, may I refer you to page 3 of that document under the Ways and Means Committee. I note, Mr. President, that you now have serving on your Ways and Means Committee the chairs of the major committees including Education, Higher Education, Health, and Human Resources.

"Mr. President, you may remember and other members may remember earlier in the year this was a position I espoused; that is to say, that the

absence of having the major chairs on the Ways and Means Committee as has been our custom since we came into the Senate...that is to say, since your presidency...that we were heading for real problems that would go beyond the personalities involved when we come to the actual logistics of not only the budget, but many of the bills associated with the budget.

"We have now come full circle. I had wished at the time that we had further discussions with one another as to how we might be able to utilize the major committees in terms of workload and all the rest associated with Ways and Means, and now as I say, that circle has closed and those committees are now in the Ways and Means Committee. I would venture to say, Mr. President, that had we been able to resolve this or discuss this at greater length in the beginning of the year, we might well have avoided much of the trouble and many of the problems that now exist for us."

Senator Cayetano then rose and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, yesterday in the Star-Bulletin; there was an article by Helen Alton and Gregg Kakesako. The headline reads, 'Ethics Issue Raises Concern Among Legislators.' I'd like to quote from the article and make a comment on it.

"The article states: 'The Ethics Commission is soliciting views of all 76 legislators on an issue that House Majority Leader Russell Blair says, "could go very far and have a devastating effect on our ability to operate as a House."

'The Commission wants to know whether legislators think members of the House Finance Committee and the Senate Ways and Means Committee, which oversee funding for the budgets of all state departments, should be excluded from representing people who might have business dealings with the departments.'

"The article goes on to quote Representative Blair as saying: 'Blair said the House Policy Committee will invite Chang to a meeting Friday to discuss the matter, which stems from an opinion issued by the Commission February 17 in response to an inquiry from a legislator....Blair said, the House is concerned because of a possibility that certain legislators might not be able to serve on the

Judiciary or Finance Committees, or any other committees, because of their occupations. He said the Commission's pending opinion, 'may intrude upon our ability to assign people to committees. It may be a substantial intrusion and we want to find out what the implications of the opinion are.'

"The article goes on to state the concerns of some of the House members, for example, Representative Rey Grauly and Norma Wong, also on the Finance Committee, are quoted as saying 'the opinion has "tremendous implications."'"

"The Senate Minority is also apparently concerned because the article quotes Senate Republican Policy Leader, Senator Mary George, as echoing those concerns saying: 'If this interpretation becomes the policy of the Ethics Commission, it might have a devastating effect on the legislative process.'

"In comparison, Mr. President, the response of the Majority, as espoused by the Majority Leader, Senator Uwaine, has been rather tame. The article goes on to say that, 'On the Senate Side, Majority Leader Clifford Uwaine said no official response is being contemplated by the Democrats at this time.' It goes on to quote Senator Uwaine as saying, 'Uwaine said Chang's letter to the legislators has not caused as much of a stir in the Senate as in the House.'

"Mr. President, as I read this article and as I read the communication from the Ethics Commission, I would share the opinion of Senator George and the Minority and also the House that this is a matter of great concern, or should be a matter of great concern to all Senators, as well as Representatives.

"I would ask that the leadership, both Minority and Majority, meet on this matter and determine whether the Senate should come forth with a position. I disagree with our Majority Leader that this matter has not caused much of a stir in the Senate as in the House. That may be his opinion. I have to say, however, that when it comes to ethics, he does not speak for me."

The President then replied:

"Just in brief response, Senator Cayetano, I think it is imperative that we address the issue as it certainly has ramifications. However, in defense of the Majority Leader, when

he spoke of it, there had been no dialogue going on about the article because it caught everyone by surprise. And, I think there have been some inquiries made relative to addressing that particular issue."

Senator Uwaine then rose and stated:

"Mr. President, in brief response, I think also in the news, in the article it quotes me as saying that the Ethics Commission is an independent body and I think that the procedure that they are following is a proper procedure where they have sent a letter out to individual legislators asking for their input.

"As far as the Majority position on this particular issue, I think it's important as Majority Leader, before I make any official statement that I check with my Democratic colleagues. And our response will be forthcoming."

Senator Cayetano then stated:

"Then, Mr. President, maybe the Majority Leader was not quoted correctly by these two reporters, Helen Alton and Gregg Kakesako, because it does say, 'on the Senate side, Majority Leader Clifford Uwaine said, "no official response is being contemplated by the Democrats at this time."' That's okay, I think the matter is serious enough that we should address it and should be of concern to all of us, no matter what our differences are, and certainly I don't think it should be limited to the scope set forth in the communication. That matter of conflict of interest, I think goes right across the board. It doesn't apply to attorneys only; it applies to businessmen, bankers, union workers, et cetera, and I think that if we do draft a response, I would hope that the Senate address that question accordingly. Thank you."

Senator Soares then rose and stated:

"Mr. President, as a matter of record, the Republicans discussed this in caucus. We are preparing a response to this inquiry, and we'd be happy to share it with the Majority as soon as we finish it."

"Mr. President, I also rise on a point of inquiry, please. In terms of the new committee assignments, I'd like the record to indicate, or have you indicate to us that Senator Henderson and I are not on the

conference committee. My understanding is we were left off the conference committee because we voted 'no' on the budget. Am I to understand that the three new members who did not sit at all on Ways and Means throughout the year will be on the committee?

The President replied:

"That is correct."

Senator Soares then continued:

"And therefore, three members of Ways and Means will be representing the Senate's position when they have had no exposure to these deliberations, and you are taking the two of us off?"

The President replied in the affirmative and Senator Soares concluded his remarks stating:

"Thank you, Mr. President."

Senator Cayetano then rose and stated:

"Mr. President, a point of inquiry to the Chair. I notice in the communications that we received this morning, there are several Governor's Messages regarding appointments, and one in particular that I'm interested in. This is Governor's Message No. 279, the appointment of one Roland Higashi to the Board of Land and Natural Resources.

"Mr. President, the message from the Governor is dated April 4, 1983. My calendar says today is April 12, 1983. There seems to be a span of eight days. As a matter of inquiry to the Chair, could the Chair tell us why it took so long to transmit this message to this body?"

The President then replied:

"Certainly, Senator Cayetano. First of all, the Governor's Message was in the President's office. A lot has happened in the last ten days which diverted my attention to other matters pending before the Senate."

Senator Cayetano then stated:

"Mr. President, just so that we...I think I have discussed this matter with you in previous times. I've always felt that when the President's office receives a message from the Governor, and the message is addressed to the Senate, then the President's office has the responsibility to transmit that message

within a reasonable time. To do otherwise would be the equivalent of leaving the fate of the delivery of mail up to the postman...I mean, even he has to deliver it within a reasonable time. What is the President's understanding of our rules as far as the Chair's discretion in these matters?"

The President replied:

"Well, I think the President can submit correspondence from the Governor whenever he chooses. He is to receive all communications from the Governor or any other source and makes a determination on referral based on time and other constraints."

Senator Cayetano then replied:

"I take it from your remarks, then, Mr. President, that with this particular message, you feel that you have the discretion and the authority to withhold this message from the members of the Senate for however long you please."

The President replied:

"For a reasonable length of time."

Senator Cayetano continued:

"Would you please explain what is a 'reasonable length of time?'"

The President replied:

"A week, perhaps two weeks, I think is reasonable."

Senator Cayetano concluded his remarks stating:

"Okay, fine. Thank you."

Senator Carpenter then rose and stated:

"Mr. President, I rise on a point of personal inquiry. In response to the Minority Floor Leader's question to you, two members of the Ways and Means Committee, Senator Henderson and Senator Soares, you indicated are no longer on the conference committee because they voted against the budget. Is that correct?"

The President replied in the affirmative and Senator Carpenter continued:

"Mr. President, recognizing that that has always been a consideration, I didn't realize that there was a hard and fast policy. Is that in the Senate Rules that this discretion is

taken...that is by the discretion of the Chair?"

The President replied:

"I think the Rules indicate that the President has the power to appoint conferees, and whatever the criteria used for picking conferees, that's left entirely to the President."

Senator Carpenter continued:

"And that is not in our Senate Rules, is that correct?"

The President replied:

"That is by appointment of the Chair."

Senator Carpenter queried:

"That is your criteria?"

The President then replied:

"That is correct."

Senator Carpenter concluded his remarks to the Chair stating:

"Thank you, Mr. President."

Senator Abercrombie then rose and stated:

"Mr. President, with respect to that, I feel I must make an addendum on a point of personal privilege.

"I must make an addendum to the remarks that I made concerning the make-up of the Ways and Means Committee. Mr. President, if it was merely a matter of irony that we now have the major committee chairs serving on the Ways and Means Committee, it would be one thing. But, Mr. President, we now have taken people of considerable experience who actually sat on it right along, off the committee and put on people who have not been there.

"How this is in the interest of doing the people's business...how this is anything other than a maneuver to accommodate this situation is beyond me. I find it very difficult to understand how that at the beginning of the year we could not serve on Ways and Means...we had no input...and now suddenly the major committees are on Ways and Means, despite the fact that they've had no experience with it for the whole year!

"Mr. President, I do not think that this situation is one that indicates

that we are in control of events in the Senate, but rather, events are in control of us."

RECONSIDERATION OF ACTIONS TAKEN

Senator Chang moved that the Senate reconsider its action taken on April 7, 1983 on S.B. No. 492, S.D. 1, H.D. 2, seconded by Senator Cobb.

Senator Chang then stated as follows:

"Mr. President, the Senate had previously disagreed with the House version of this bill. On further analysis, I have found that the differences between the House and Senate versions are non-substantive and conclude that the House version is preferable because it is technically consistent with the legislative drafting manual."

The motion to reconsider the action was put by the Chair and carried.

On motion by Senator Chang, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 492, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 492, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Senator Chang then moved that the Senate reconsider its action taken on April 7, 1983 on S.B. No. 122, S.D. 1, H.D. 2, seconded by Senator Cobb.

At 12:47 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:50 o'clock p.m.

Senator Chang then stated as follows:

"Mr. President, the Senate had previously disagreed with the House version of the bill. On further analysis, I have again found that the differences between the House and the Senate versions of this bill are non-substantive and conclude that the House version is preferable because it is technically consistent with the legislative drafting manual."

The motion to reconsider the action was put by the Chair and carried.

On motion by Senator Chang, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 122, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 122, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL RECORDS."

Senator Chang then moved that the Senate reconsider its action taken on April 7, 1983 on S.B. No. 1186, S.D. 1, H.D. 1, seconded by Senator Cobb.

Senator Chang then stated as follows:

"Mr. President, here again, I've found that the differences between the House and Senate versions are non-substantive and conclude that the House version is preferable."

The motion to reconsider the action was put by the Chair and carried.

On motion by Senator Chang, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1186, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1186, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS JURISDICTION."

At this time, Senator Kawasaki rose and stated:

"Mr. President, I rise on a point of personal privilege. I'd like to comment on what I understood to be decision on your part, as well as the members of the Senate here, that we are going to discuss possible areas of conflict regarding the inquiry submitted to us by the Ethics Commission as to whether there are conflicts in attorneys serving in the Legislature serving on the Finance Committee and the Ways and Means Committee. Was that the consensus here?"

The President replied:

"I would venture to guess that the issue raised by Senator Cayetano affects all of us. Therefore, I would expect all to submit input. My understanding is that the Ethics Commission is asking for input on this particular issue."

Senator Kawasaki then continued:

"Mr. President, it just seems to me that we appointed members to the Ethics Commission for them to decide whether or not there exists conflicts of interest in situations where there are employees of unions who are legislators; where there are attorneys serving in the legislature; and it seems to me that it doesn't require an intelligence quotient of 150 to be able to decide whether there are inherent conflicts in our roles here. This question being submitted to us for our determination when we have to perhaps give them some input and answers regarding the activities of our fellow legislators seems kind of silly.

"It seems to me that they are able to decide as members of the Ethics Commission, after studying the situation, (and the situation isn't that esoteric,) whether there are conflicts in some of our actions here as members of the Ways and Means Committee or the Finance Committee, when we are attorneys. Are there conflicts for us where we are employees of major lobby groups asking for major amounts of money for appropriations? These kinds of questions could very easily be decided upon and settled by the Ethics Commission themselves. They don't have to ask us questions about this, particularly because some of us are affected here.

"It seems to me that we should throw the ball right back at them and say, 'You people are the Ethics Commission; you decide.'"

At 12:52 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:55 o'clock p.m.

At this time, Senator Hagino, chairman of the Committee on Agriculture, requested a waiver of the 48-hour notice of a public hearing on House Bill No. 393, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," and the President granted the waiver.

Senator Machida, chairman of the Committee on Health, requested a waiver of the 48-hour notice of a public hearing on the following measures:

S.B. No. 236, entitled: "A BILL FOR AN ACT RELATING TO INFORMED CONSENT";

S.B. No. 669, entitled: "A BILL FOR AN ACT RELATING TO

HEALTH"; and

H.B. No. 1087, entitled: "A BILL FOR AN ACT RELATING TO HEALTH",

and the President granted the waiver.

Senator Holt, chairman of the Committee on Higher Education, requested a waiver of the 48-hour notice of a public hearing on the following measures:

S.R. No. 31, entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT A STUDY ON THE ADMINISTRATIVE, PHYSICAL, AND EDUCATIONAL INTEGRATION EXPERIENCE OF THE UNIVERSITY OF HAWAII AT HILO SINCE ITS INCEPTION IN JULY, 1970";

S.R. No. 32, entitled: "SENATE RESOLUTION REQUESTING AN IMPROVEMENT OF THE HAWAIIAN EDUCATION PROGRAM";

S.R. No. 93, entitled: "SENATE RESOLUTION REQUESTION THE UNIVERSITY OF HAWAII AND THE BOARD OF REGENTS TO SUBMIT A COMPREHENSIVE REPORT ON ITS CURRENT STUDENT REGISTRATION, CLASS REGISTRATION, AND COURSE SCHEDULING SYSTEM INCLUDING AN ASSESSMENT OF ANY DEFICIENCIES, AND RECOMMENDATIONS FOR IMPROVEMENT";

S.R. No. 110, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A COMPREHENSIVE STUDY OF THE HAWAII PROGRAM OF THE WESTERN INTERSTATE COMMISSION ON HIGHER EDUCATION"; and

S.C.R. No. 83, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE NEED FOR MORE ON-CAMPUS HOUSING FOR THE STUDENTS OF THE UNIVERSITY OF HAWAII",

and the President granted the waiver.

At 1:00 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:03 o'clock p.m.

At this time, Senator Henderson introduced Councilman Jim Dahlberg from the Big Island.

Senator Carpenter then rose and

stated:

"Mr. President, I just wanted to point out that Councilman Dahlberg is one of the dissidents on the Hawaii County Council, if not the only dissident."

Senator Kawasaki then rose and stated:

"Mr. President, just an added piece of information. Councilman Dahlberg was the one to take the initiative to take the Senate audit report of the Kohala Task Force fiasco and do something about it at the county level in Hawaii, and as a result, hopefully, they will be getting some \$300,000 back."

The President then stated:

"I remember a very young councilman from the Big Island, who is a Senator today, who was also a maverick, a long time ago."

APPOINTMENT OF CONFEREES

House Bill No. 3, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 3, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, B. Kobayashi and Hagino as Managers on the part of the Senate at such conference.

House Bill No. 6, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 6, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, Chang and A. Kobayashi as Managers on the part of the Senate at such conference.

House Bill No. 80, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 80, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, B. Kobayashi and Ajifu as Managers on the part of the Senate at such conference.

House Bill No. 81, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 81, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, Cobb and Ajifu as Managers on the part of the Senate at such conference.

House Bill No. 114, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 114, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, Machida and George as Managers on the part of the Senate at such conference.

House Bill No. 182 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 182, and the request for a conference on the subject matter thereof, the President appointed Senators Solomon, Chairman, Mizuguchi and Ajifu as Managers on the part of the Senate at such conference.

House Bill No. 253, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 253, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Chairman, Holt, Machida and Henderson as Managers on the part of the Senate at such conference.

House Bill No. 256, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 256, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Chairman, Hagino, Kuroda and Soares as Managers on the part of the Senate at such conference.

House Bill No. 258, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 258, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chang, Chairman, Hagino and A. Kobayashi as Managers on the part of the Senate at such

conference.

House Bill No. 268, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 268, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, Aki and Ajifu as Managers on the part of the Senate at such conference.

House Bill No. 269 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 269, and the request for a conference on the subject matter thereof, the President appointed Senators Young, Chairman, Yamasaki and Ajifu as Managers on the part of the Senate at such conference.

House Bill No. 272, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 272, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Chairman, Hagino, Holt and Henderson as Managers on the part of the Senate at such conference.

House Bill No. 287, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 287, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, Chang, B. Kobayashi and Henderson as Managers on the part of the Senate at such conference.

House Bill No. 325 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 325, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, Mizuguchi and A. Kobayashi as Managers on the part of the Senate at such conference.

House Bill No. 338, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 338, H.D. 1, and the request for a conference on the subject matter

thereof, the President appointed Senators Holt and Solomon, Co-Chairmen and Ajifu as Managers on the part of the Senate at such conference.

House Bill No. 519, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 519, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chang, Chairman, Hagino and A. Kobayashi as Managers on the part of the Senate at such conference.

House Bill No. 702, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 702, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, Young, Solomon and Soares as Managers on the part of the Senate at such conference.

House Bill No. 722, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 722, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Solomon, Chairman, Mizuguchi and Ajifu as Managers on the part of the Senate at such conference.

House Bill No. 752, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 752, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Solomon, Chairman, Mizuguchi and Ajifu as Managers on the part of the Senate at such conference.

House Bill No. 765 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 765, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, B. Kobayashi and Ajifu as Managers on the part of the Senate at such conference.

House Bill No. 809, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 809, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, Mizuguchi and A. Kobayashi as Managers on the part of the Senate at such conference.

House Bill No. 813 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 813, and the request for a conference on the subject matter thereof, the President appointed Senators Young, Chairman, Yamasaki and Ajifu as Managers on the part of the Senate at such conference.

House Bill No. 817, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 817, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, Young, Solomon and Ajifu as Managers on the part of the Senate at such conference.

House Bill No. 1061, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1061, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, Young, Solomon and Ajifu as Managers on the part of the Senate at such conference.

House Bill No. 1123, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1123, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Chairman, Hagino, Holt and Henderson as Managers on the part of the Senate at such conference.

House Bill No. 1151, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1151, H.D. 2, and the request for a

conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, Machida and George as Managers on the part of the Senate at such conference.

House Bill No. 1231, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1231, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, Young, Solomon and Ajifu as Managers on the part of the Senate at such conference.

House Bill No. 1237 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1237, and the request for a conference on the subject matter thereof, the President appointed Senators B. Kobayashi, Chairman, Hagino and George as Managers on the part of the Senate at such conference.

House Bill No. 1401, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1401, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, Machida and George as Managers on the part of the Senate at such conference.

House Bill No. 1568 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1568, and the request for a conference on the subject matter thereof, the President appointed Senators Yamasaki, Chairman, B. Kobayashi and Ajifu as Managers on the part of the Senate at such conference.

House Bill No. 1583, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1583, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Mizuguchi, Chairman, Young and A. Kobayashi as Managers on the part of the Senate at such conference.

Senate Bill No. 79, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 79, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chang, Chairman, Holt and George as Managers on the part of the Senate at such conference.

Senate Bill No. 80, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 80, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chang, Chairman, Cobb and George as Managers on the part of the Senate at such conference.

Senate Bill No. 115, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 115, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chang, Chairman, Cobb and A. Kobayashi as Managers on the part of the Senate at such conference.

Senate Bill No. 241, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 241, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chang, Chairman, Machida and George as Managers on the part of the Senate at such conference.

Senate Bill No. 255, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 255, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chang, Chairman, Holt and A. Kobayashi as Managers on the part of the Senate at such conference.

Senate Bill No. 569, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 569, S.D. 1, and the request for a

conference on the subject matter thereof, the President appointed Senators Chang, Chairman, Machida and George as Managers on the part of the Senate at such conference.

Senate Bill No. 631, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 631, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chang, Chairman, Machida and George as Managers on the part of the Senate at such conference.

Senate Bill No. 775, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 775, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chang, Chairman, Kuroda and A. Kobayashi as Managers on the

part of the Senate at such conference.

Senate Bill No. 1092, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1092, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chang, Chairman, Mizuguchi and George as Managers on the part of the Senate at such conference.

At this time, Senator Cobb rose and stated:

"Mr. President, just a reminder to all Senators, today, 4:30 p.m. is the cutoff for all substantive resolutions."

ADJOURNMENT

At 1:05 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, April 13, 1983.

FIFTY-THIRD DAY

Wednesday, April 13, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:45 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Chaplain Al Hockaday, Office of the Command Chaplain, Hickam Air Force Base, after which the Roll was called showing all Senators present with the exception of Senator Holt who was excused.

The Chair announced that he had read and approved the Journal of the Fifty-Second Day.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 506 to 539), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 506), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 809, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 12, 1983, the Speaker appointed Representatives Tungpalan, Chairman, Kawakami, Lardizabal, Taniguchi, Wong, Yoshimura and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 507), informing the Senate that on April 12, 1983, the Speaker appointed Representative Kiyabu as an additional conferee, and as co-chairman together with Representative Say, on the part of the House at the conference on House Bill No. 393, H.D. 2, S.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 508), informing the Senate that on April 12, 1982, the Speaker discharged Representative Ikeda and added Representative Medeiros as a Manager on the part of the House at the conference on House Bill No. 800, S.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 509), informing the Senate that on April 12, 1983, the Speaker discharged Representative Ikeda and added Representative

Medeiros as a Manager on the part of the House at the conference on House Bill No. 901, H.D. 1, S.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 510), informing the Senate that on April 12, 1983, the Speaker discharged Representative Ikeda and added Representative Medeiros as a Manager on the part of the House at the conference on House Bill No. 1266, H.D. 1, S.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 511), informing the Senate that on April 12, 1983, the Speaker discharged Representatives Hee and Dang and added Representatives Hashimoto and Anderson as Managers on the part of the House at the conference on House Bill No. 1505, H.D. 1, S.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 512), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 42, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Shito, Chairman, Andrews, Kim, Tungpalan and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 513), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 34, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Shito, Chairman, Kim, Matsuura, Tungpalan and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 514), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 55, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Shito, Chairman, Honda, Kim, Taniguchi and Ikeda as

Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 515), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 79, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Stanley, Chairman, Andrews, Taniguchi, Tom and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 516), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 80, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Stanley, Chairman, Hirono, Tungpalan and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 517), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 176, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Shito, Chairman, Hirono, Kim, Lardizabal and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 518), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 179, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Shito, Chairman, Honda, Matsuura, Taniguchi and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 519), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 180, S.D. 1, and the request for a conference on the subject matter of said amendments, on

April 12, 1983, the Speaker appointed Representatives Shito, Chairman, Andrews, Hayes, Kim and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 520), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 181, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Shito, Chairman, Andrews, Hayes, Kim and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 521), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 184, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Shito, Chairman, Baker, Hirono, Kim and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 522), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 191, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Shito, Chairman, Hayes, Kim, Taniguchi and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 523), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 193, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Shito, Chairman, Baker, Tom, Tungpalan and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 524), informing the Senate that pursuant to the disagreement of the Senate to the

amendments proposed by the House to Senate Bill No. 236, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Baker and Stanley, Co-Chairman, Apo, Hagino, Hirono, Leong and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 525), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 241, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Stanley, Chairman, Baker and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 526), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 247, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Shito, Chairman, Kim, Matsuura, Taniguchi and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 527), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 255, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Stanley, Chairman, Honda, Taniguchi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 528), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 313, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Stanley, Chairman, Hayes, Hirono, Kim, Shito, Taniguchi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 529), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 450, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Shito, Chairman, Hayes, Hirono, Honda and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 530), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 569, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Stanley, Chairman, Baker, Hayes, Tom and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 531), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 631, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Baker, Chairman, Apo, Hirono, Leong, Stanley, Tom and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 532), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 669, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Baker, Chairman, Apo, Ige, Leong and Jones as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 533), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 735, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Shito, Chairman, Baker, Matsuura, Tom and Ikeda as

Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 534), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 787, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Shito, Chairman, Hayes, Hirono, Tom and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 535), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 800, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Stanley, Chairman, Shito, Tungpalan and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 536), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 904, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Shito, Chairman, Hirono, Kim, Lardizabal, Wong and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 537), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1003, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Hirono, Chairman, Apo, Shito, Tam, Tom and Jones as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 538), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1092, S.D. 1, and the request for a conference on the

subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Stanley, Chairman, Tom and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 539), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1338, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 12, 1983, the Speaker appointed Representatives Shito, Chairman, Hirono, Kawakami, Kiyabu, Lardizabal, Souki, Tom and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 875) informing the Senate that Senate Concurrent Resolution Nos. 100 to 118, Senate Resolution Nos. 119 to 146 and Standing Committee Report Nos. 876 to 878 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Uwayne, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 876) recommending that the Senate advise and consent to the nominations of the following:

Walter R. Steiger, Stanley Mukai and Stephen Bess to the Board of Regents, University of Hawaii, in accordance with Gov. Msg. No. 132; and

J.W.A. Buyers to the Board of Directors, Research Corporation, University of Hawaii, in accordance with Gov. Msg. No. 133.

By unanimous consent, action on Stand. Com. Rep. No. 876 and Gov. Msg. Nos. 132 and 133 was deferred until Thursday, April 14, 1983.

Senator Solomon for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 877) recommending that S.C.R. No. 39, as amended in S.D. 1 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 39, S.D. 1, entitled: "SENATE CONCURRENT RELATING TO A POLICY ON LONG TERM CARE FOR THE ELDERLY," was adopted.

Senator Solomon, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 878) recommending that the Senate advise and consent to the nominations of the following:

Bruce Fujimoto and Vince G. Bagoyo, Jr., to the Advisory Council for Children and Youth, in accordance with Gov. Msg. No. 148;

Conrad Hokama to the Advisory Council for Children and Youth, in accordance with Gov. Msg. No. 149;

Isadora Tai and Erasmus Patacsil to the Progressive Neighborhoods Task Force, in accordance with Gov. Msg. No. 150;

Betty Ona and Samuel J. Luna to the Advisory Council for Children and Youth, in accordance with Gov. Msg. No. 254; and

Leonard E. Mason, Shizuko Mukaida, Colette V. Brown, Samuel S. Luke, Felicidad D. Habon, Tuala Sevaaetasi, Helen Wiegert, Edward T. Yamada, Nora M. Kurosu and Yoshiaki Fujitani to the Policy Advisory Board for Elderly Affairs, in accordance with Gov. Msg. No. 269.

By unanimous consent, action on Stand. Com. Rep. No. 878 and Gov. Msg. Nos. 148, 149, 150, 254 and 269 was deferred until Thursday, April 14, 1983.

ORDER OF THE DAY

MATTERS DEFERRED
FROM APRIL 12, 1983

FINAL READING

Senate Bill No. 117, H.D. 1:

Senator Cobb moved that S.B. No. 117, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

Senator Abercrombie rose on a point of inquiry and stated:

"Mr. President, in the course of events yesterday, I believe I had the floor at the time of recess, prior to

the moving of the bills from the calendar yesterday until today. At that time, I had some questions for the chairman of the committee and I wonder if he would be kind enough to yield to one or two more questions?"

The Chair asked the chairman if he would yield to a question and Senator Hagino having answered in the affirmative, Senator Abercrombie queried as follows:

"Mr. President, would you ask the chairman of the committee to comment, for purposes of the record and for the illumination of the members, as to what the consequences would be if this legislation passes with respect to utilizing the National Guard for strike-breaking?"

Senator Hagino answered: "Mr. President, I really could not answer that question. It is my hope that this would not be used for that purpose."

Senator Abercrombie continued: "Mr. President, did I hear the Senator correctly in that he stated that it was his hope that it would not be used for those purposes?"

The Chair answered: "That is correct."

Senator Abercrombie continued: "Mr. President, would you ask the chairman if it is his contention that we should pass legislation based on hopes or whether we should pass legislation based on what we contend is the actual purpose and what we can expect to have happen from the language, as written in the law?"

Senator Hagino responded: "Mr. President, that is a very difficult question. Could the question be repeated?"

Senator Abercrombie remarked and asked: "Mr. President, I would point out that if we had caucuses on these matters perhaps these questions wouldn't be so difficult.

"It is a simple question.

"As I read the legislation here, there is no distinction any longer between emergency and nonemergency situations. As I read the law as written and as proposed by the Chair for passage today, this would enable the governor, at his or her will, to call out the National Guard under any circumstances, particularly those involved in strikes, whether there was any illegal activity going on or

not, simply to patrol a site, could have an inhibitory factor ... could be an inhibitory factor with respect to the conducting of legal activity with respect to striking.

"Now, my question is a simple one. Can the governor or can the governor not call out the National Guard, disrupt the lives of the people who are in the National Guard, call them to active duty in order to patrol sites where there may be a strike in progress or the potential for a strike?"

Senator Kawasaki, at this time, requested as follows: "Mr. President, could we have this matter deferred one day, please?"

Senator Abercrombie interjected: "Mr. President, I hope at some time we can get some answers to these questions so that we don't have to do this."

The Chair answered: "Senator Abercrombie, I think there's been sufficient time since yesterday's questioning. I would think that if these questions were of that paramount importance and a clarification was needed, perhaps contact should be made with the chairman of the committee during the one-day deferment to discuss the matter."

Senator Abercrombie responded: "Mr. President, I quite agree, and I would be very happy to talk with the chairman but he didn't see fit to contact me."

The Chair answered: "Well, I'm sure there will be contact made."

By unanimous consent, action on S.B. No. 117, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD," was deferred until Thursday, April 14, 1983.

Senate Bill No. 177, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 177, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Holt and Uwayne).

Senate Bill No. 182, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 182, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DISPENSING OPTICIANS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Holt and Uwayne).

Senate Bill No. 186, S.D. 1, H.D. 2:

Senator Cobb moved that S.B. No. 186, S.D. 1, H.D. 2, having been read throughout, pass Final Reading, seconded by Senator Soares.

Senator Abercrombie, on a point of inquiry, stated:

"Mr. President, perhaps the chairman of this committee, with respect to this bill 186, would kindly respond to an inquiry.

"Mr. President, I have a concern here with respect to the language on page 5. I will quote, if I might, please. 'The applicant shall disclose whether the applicant has received treatment for any psychiatric or psychological disorder, or whether such treatment has ever been recommended' and it goes on to say, 'and shall not have been convicted in any jurisdiction of a crime' etc.

"My concern, Mr. President, is on the phrase 'whether such treatment has ever been recommended.' My question is, as I read this bill, am I correct that if at any time in the course of an examination, for example, an inquiry is sought of a psychiatrist with respect to a diagnosis, would that constitute treatment?"

The Chair asked the chairman if he would yield to the question and Senator Cobb answered: "Mr. President, could the speaker repeat the salient part of the question?"

Senator Abercrombie asked: "Mr. President, my question is, with respect to this phrase 'whether such treatment has ever been recommended.' Would the word 'treatment' fall in the category of diagnosis with respect to a recommendation for a diagnosis by a psychiatrist in the course of determining a diagnosis?"

Senator Cobb answered: "The answer is no, Mr. President. The reason the language is there is

because in a case involving a murder at the AmFac Center, the individual accused had, on several occasions, been recommended for treatment after diagnosis and had not, in all cases, gone for such treatment of a psychological disorder, and that's the reason for the language."

Senator Abercrombie continued: "Thank you, Mr. President.

"Mr. President, I understand the reason and I thank the Senator for it but I must speak against the bill.

"I understand the reason for the bill appearing here. I understand what the motivation is; however, I would indicate to the body that it is common practice, especially in the areas of group medicine and/or comprehensive hospital plans, it is by no means unusual, let me put it that way, for in the process of making a diagnosis and recommendation for treatment that a psychiatrist be consulted, not necessarily because the person is suffering or is determined to have suffered any mental disorder or malfunction ... character disorder or anything of the kind ... but just as a catchall for a part of the comprehensive service, it is not unusual at all for that to occur.

"What would happen if we passed this bill is that someone could have been involved very easily in such a process and it's not clear to me that you could separate so easily the word 'treatment' from the diagnosis itself. That may be our intent but, again, we're dealing with what the law actually says. If this is the case, it is conceivable that someone could be denied employment simply on the basis that they had been to a psychiatrist in the course of a diagnosis or in the course of a, I'm not quite sure of what the exact medical term would be, but in the course of the process of determining whether or not someone was suffering from a particular disease or some symptoms of disease ... this happens quite frequently ... as I said, someone could be then characterized perhaps for their life with respect to employment here as a result of that, when it could have just simply been a regular hospital visit in the sense of a comprehensive checkup or someone may have seen a psychiatrist in the course of events with respect to a disease and it turns out that that's merely all it was, a visit, which had nothing to do with psychiatric problems.

"I am reminded of this as recently as yesterday in which an issue arose

in the mayoralty contest in Chicago because one of the candidates was accused of the possibility of having a mental disorder or a mental imbalance because he saw a psychiatrist in the course of events in dealing with ulcers, what was determined ultimately to be ulcers.

"So, this is a very tricky civil rights question. I have no objection to the rest of it.

"When you use a phrase like 'treatment has been recommended,' the broad scope, the broad sweep of that kind of phrase is such that, I think, it puts us in danger of depriving someone of the opportunity to a job that we really do not intend to do. Secondly, it also puts people in the position of possibly breaking the law, should they not reveal it, if they understand something not to be treatment but rather, say, a consultation or a series of consultations, it does not constitute treatment and thus indicate that they have not seen a psychiatrist.

"The way the language is in the bill, it's conceivable that that person could be seen as having violated the law if they don't report it.

"Now, for those of us here, although the events of the last few days may seem that some of us should be seeking help in one form or another ... I don't know if we should see a psychiatrist ... nonetheless, we are passing laws that affect everybody.

"As a result, I don't think that I'm trying to be picayune in this, but rather that there is a broad question of the civil liberty involved or the constitutional right involved, and I would not like to see us put people in a position where they would be breaking the law because they felt they were in, as I say, consultation as opposed to treatment.

"To reiterate then, I quite understand the motivation when you have someone who perhaps has failed to reveal in the course of the investigation before hiring someone, there has been a failure to reveal mental disorder. But this language in itself, I do not think will cure that particular ill in terms of hiring people. On the other hand, it may do some serious damage to the rights of employment for people for whom the law is not intended."

Senator Cobb then rose to speak in favor of the measure and stated:

"Mr. President, speaking in favor of the measure, it was during the course of the hearing that we became even more acutely aware of the amount of trust that people put in private guards and the amount of really unlimited access that such guards have in the building or any type of complex where there is security. And I would maintain there's a very big difference between diagnosis and treatment, but if treatment for any psychological reason has been recommended we felt that fact should be known in terms of the individual's employment consideration because of the very special trust so many put in a security guard.

"Thank you."

Senator Abercrombie, in response, stated:

"Mr. President, just in brief rebuttal of the previous remarks. Again, it's very difficult to stand and argue that the language does not reflect the motivation because the motivation is one that is obviously so pertinent. But, if the language read something where treatment had been recommended and failure to carry through or something of that nature, I could see it, but all it says is 'where such treatment has ever been recommended.' Recommended by whom?

"What if there was a disagreement? There's nothing in the bill here that indicates as to how this shall take place, under what circumstances. There are many instances in which there are serious arguments about these kinds of things.

"Psychiatry is, as we well know just from court proceedings alone, is by no means an exact science, such as political science. As a result, to just have a phrase 'whether such treatment has ever been recommended' leaves it wide open and for those reasons what I think is needed here is not a discussion against the concept, but rather as it's manifested in this bill I think is defective, and I think what we should do is tighten this up considerably, and then come forward with the recommendation."

Senator Chang also rose to speak against the measure and stated:

"Mr. President, I rise to speak against this bill. With all due respect to my chairman and in sympathy with the problem that gave rise to this bill, I, nonetheless, voted against this bill when it was first considered

by the Senate and will vote against it again.

"The provision that gives me difficulty is on page 6 and relates to who would seek employment as guards. This provision would require that such persons 'shall not have been convicted in any jurisdiction of a crime which reflects unfavorably on the fitness of the employee to engage in the profession.'

"I would not favor a provision that would foreclose a person from engaging in gainful work where there was some indiscretion in one's youth and years later after contributing to society and raising a family and working and proving one's worth, reintegrating, if you will, into the community and perhaps experiencing salvation, this person, upon retirement and seeking work to which he could contribute would be foreclosed from this work because of a years-long-past experience.

"If there was some kind of reasonable time period imposed, ten, twenty years, perhaps I might consider this bill favorably but because this bill bars such a person forever I must vote against it."

Senator B. Kobayashi spoke for the measure and stated:

"Mr. President, I'd like to speak in favor of this bill.

"You will note that on page 6 the requirement here is simply for disclosure. We discussed this in committee. It only says that you shall disclose whether you received treatment, etc.

"If you had stolen hubcaps when you were fifteen years old and you're now thirty years old and looking for employment, you would have, I would suspect, very good grounds to suggest, number one, that there'd been a great deal of passage of time, as the previous speaker had mentioned; and, secondly, that perhaps it would be arguable as to whether stealing of hubcaps at that age would have constituted unfitness to engage in the profession."

Senator Chang, in response, stated:

"Mr. President, I beg to differ with the previous speaker. The provision is clear.

"Starting on page 6, line 5; (one) 'The employee shall disclose whether

the employee has received treatment ...'; and (two) on line 8, '...shall not have been convicted...' This is not a disclosure requirement but a prohibition."

The motion was put by the Chair and carried and, Roll Call having been requested, S.B. No. 186, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE INVESTIGATORS AND GUARDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 6 (Abercrombie, Cayetano, Chang, Fernandes Salling, Kawasaki and Toguchi). Excused, 1 (Holt).

Senate Bill No. 203, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 203, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE FOR CHILDREN," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Holt).

Senate Bill No. 343, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 343, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Holt).

Senate Bill No. 18, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 18, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAIR BUSINESS PRACTICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Holt).

Senate Bill No. 366, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and

carried, S.B. No. 366, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON TRANSPORTATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Holt).

Senate Bill No. 507, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 507, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAGE AND HOUR LAW," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Holt).

Senate Bill No. 520, H.D. 1:

Senator Cobb moved that S.B. No. 520, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

Senator Toguchi then rose to inquire as follows:

"Mr. President, I rise on a point of inquiry.

"I'd like, Mr. President, to ask the chairman of the committee for clarification.

"In the bill, on line 7, it refers to 'vacated units.' The committee report does not make mention of vacated units. I'd like a clarification on that.

"Are we talking about strictly vacated units or are we talking about, you know, all of the delinquent units?"

Senator Young answered: "Mr. President, we're talking about delinquent accounts, those people that have moved out from the housing unit. So, if you want to call it vacated ... they're not living in that project any more and they're delinquent accounts on the books."

The motion was put by the Chair and carried, and S.B. No. 520, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HOUSING AUTHORITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused,

1 (Holt).

Senate Bill No. 525, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 525, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Holt).

Senate Bill No. 640, S.D. 1, H.D. 1:

Senator Cobb moved that S.B. No. 640, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

Senator Cayetano then rose to speak against the measure and stated:

"Mr. President, I rise to speak against this bill.

"Mr. President, first I'd like to commend the members of the House for what they tried to do in this bill. This bill, as we all know, attempts to set a limitation of action for damages based on construction to improve real property. When this bill was transmitted from the Senate to House, the bill made an exception to our general laws regarding statute of limitations or limitation of actions on personal injury and wrongful death suits.

"The Senate version of the bill provided that architects, designers, engineers, contractors would have been exempt from liability for any personal injury or wrongful deaths arising out of negligence, planning, design, supplying of materials, construction, etc. for improvements to real property, if the accident or the incident or the cause of action arose six years after the improvement was completed. At that particular time, I rose and spoke against the bill stating that in my opinion the bill addressed the concerns of the industry but shortchanged the consumer. Shortly thereafter, an event, which I suppose we would describe as fortuitous, happened. Panels were falling off the walls in the State Capitol.

"In the interim, I called the chairman of the Committee on Consumer Protection of the House and explained my views on the Senate's bill to him and, how, if the Senate's bill became law, people who were

injured as a result of those falling panels would not have been able to sue the architects, the designers, and other industry people involved in the construction of this Capitol because this Capitol is about fourteen years old.

"I had hoped that we would have had a caucus so I could explain it to the members of this Senate. We didn't have a caucus. Now, what we have is a bill which sets the limitation of action period of ten years for recovery of damages for injury to property, real or personal.

"This bill is good because it exempts from this limitation of action for ten years, personal injury or wrongful death as a result of negligence. If that's all this bill would have done, Mr. President, I would vote for it because I think the House was consumer-oriented when they put this bill together.

"Unfortunately, in analyzing the bill, I have found what appears to be a major defect in the bill, and if the chairman of the Consumer Protection Committee would yield to a question, I would like to point out what I believe this major defect is.

"Mr. President, would you ask him if he would yield?"

The Chair posed the question to Senator Cobb and Senator Cobb answered: "Mr. President, I would like to hear the question first."

Senator Cayetano then asked: "Mr. President, would you ask the chairman why on page 2, line 3, the word 'suretyship' was inserted into the bill?"

Senator Cobb answered: "Mr. President, I think that question would more properly be addressed to the House. They inserted the word 'suretyship.'

Senator Cayetano continued: "Mr. President, I'm addressing the chairman, I mean, after all, he is the captain of this particular committee and he is responsible for this bill as it appears before us today.

"He is recommending that we agree to the House amendment, Mr. President, and I think I deserve an answer. I believe the members of this body deserve an answer as to why the word 'suretyship' is in there because it makes the bill defective, otherwise, this would have been a good bill. And had we had caucuses,

Mr. President, I think I would have been able to pick this up and explained it to the members of this Senate. We don't have caucuses so may I have an answer to my question?"

Senator Cobb then responded: "Mr. President, speaking in response to the question, I think if that question had been a genuine one it would have been asked of me sometime ago, and I could have at least attempted to get an answer from the House. If the good Senator had asked me when I recommended agreement to the bill or had pointed it out I would certainly have taken the time to call the House and ask them. That courtesy was not extended to me."

Senator Cayetano then asked: "Mr. President, is the chairman now saying that he does not know why the word 'suretyship' is there?"

The Chair answered: "I believe that is his response."

Senator Cayetano then continued: "Okay, then, let me explain why I believe that with the word 'suretyship' this bill is defective and probably unconstitutional."

"Mr. President, as we all know, a surety, and let me quote from Webster's Seventh New Collegiate Dictionary, which is the most recent that I have upstairs, Mr. President, but I'm sure that the meaning of the word 'surety' has prevailed through time immemorial."

"'Surety' -- a pledge or other formal engagement given for the fulfillment of an undertaking: guarantee."

"Now let's take the word 'surety bond' which I think most of us will understand -- 'a bond guaranteeing performance of a contract or obligation.'"

"Mr. President, this bill speaks to liability from negligence, in planning, in design, in manufacturing and supplying of materials, construction, supervision and administration of construction, and observation of construction related to an improvement to real property."

"This bill speaks to negligence. It imposes a ten-year limitation of action period. Any liability by a surety, Mr. President, would come after the negligence was discovered, and only when the surety of the person or the company putting up the bond in this

case fail to perform."

"Therefore, an action against the person for surety is one in contract, not in negligence. What can happen here is, if we have a project in which the architects, the designers and everybody else who are involved, if they buy a bond, Mr. President, and if for any reason there is a problem with the project and it's over ten years, this surety or surety company, as I read this, may be exempt from any liability before it even happens because if it does not happen, as I said earlier, the liability does not occur until after the surety or the bonding company fails to perform."

"In my view, this is a major defect, probably, a major constitutional defect."

"With those remarks, Mr. President, I would like to ask for one day deferral so that the chairman can analyze this and if there is a problem, come to us tomorrow and explain it to us. I may be wrong. I don't think I am."

By unanimous consent, action on S.B. No. 640, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS," was deferred until Thursday, April 14, 1983.

Senate Bill No. 741, S.D. 1, H.D. 2:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 741, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTY VEHICULAR TAX REFUNDS; VEHICLES REMOVED FROM THE STATE; JUNKED VEHICLES; VEHICLES BROUGHT INTO THE STATE; EXEMPTIONS FOR STORED VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Holt).

Senate Bill No. 749, H.D. 1:

Senator Cobb moved that S.B. No. 749, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

Senator Abercrombie spoke against the measure as follows:

"Mr. President, I shall speak against this bill."

"This again puts us into the area of

civil liberties. An area in which, I think, the State of Hawaii rightly takes pride in terms of its extension and its rigorous protection, perhaps because of the experiences that we have had in this state and the number of different kinds of people who live together here.

"In any event, Mr. President, over the years we have been arduous in our activities with respect to civil liberties and in this instance, on the surface, it seems as if this is something that just should be extended to the area of convictions by the federal government, whether in this state or in other states.

"We have a law already on the books, one with which I was not familiar until the form of the bill appeared. The present law states that, with respect to the suspension of the license for the commission of an offense in another state, that same suspension shall extend to this state as well.

"If I understand the bill correctly, what would happen in this instance is, if someone commits an offense for which he is convicted by the federal government in this state or within another state, that if that offense, if committed within the jurisdiction of this state, had taken place, that that would be grounds for suspension or revocation of the driver's license or privileges as well.

"The reason then that I speak against it is that particular crime, whatever it may have done which resulted in the suspension of the license in another state or if this bill is passed, in another jurisdiction, that is to say, federal jurisdiction, whether in this state or another state, takes place that it will be treated as if the crime had been committed here under state jurisdiction.

"My view is that the original law should be repealed. I do not think that it is a good idea regardless of what one may consider as to the character of the person involved in this, whether one likes him or likes what he did or anything of that nature.

"I do not think it is a tradition of American civil liberties that we extend to someone this approbation of having committed a crime in our state if he in fact had not done it.

"Let me try and illustrate it. Supposing someone had committed this

offense in California and is forbidden to drive as a result in California, or has committed an offense in the federal government, perhaps transportation of stolen cars, for that matter, interstate. I don't know if the sentencing could be exactly this way, but I presume that the license could be suspended there; otherwise, I doubt we would have a bill before us with respect to the federal government acting. If that takes place in California, it seems to me that is the business of California.

"Supposing someone tries to start their life over again for that matter in the State of Hawaii. It smacks of the kind of thing that most of our forebearers have fought against or even left other countries for; that is to say, that one will be adjudged guilty of something because it happened somewhere else and you have to carry it with you wherever you go.

"It is one thing if we're talking about fleeing from a jurisdiction illegally, if you're an escaped felon or something of that nature ... I'm not discussing that and I don't think that that applies. What I'm talking about here is the person has committed no crime in this state, has not been convicted of any crime in this state and yet must bear the burden. I am presuming that the person is in this state legally and is not here illegally or I think that the bill would have addressed it. So, therefore, I believe that rather than passing this bill it should be defeated and perhaps the appropriate committee should take it up in the next legislative session whether the present law is anathema to our conception here in the State of Hawaii of the proper conduct of our constitutional privilege."

The motion was put by the Chair and carried, and S.B. No. 749, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Abercrombie, Carpenter, Cayetano, Kawasaki and Toguchi). Excused, 1 (Holt).

Senate Bill No. 757, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 757, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," having been read throughout, passed Final Reading on the following

showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Holt).

Senate Bill No. 965, S.D. 2, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 965, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Holt).

Senate Bill No. 977, S.D. 1, H.D. 2:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 977, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Holt).

Senate Bill No. 1057, S.D. 1, H.D. 1:

Senator Cobb moved that S.B. No. 1057, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

Senator Abercrombie rose in support of the measure and stated:

"Mr. President, this bill will eliminate an inequity that has taken place through no fault of the people who are involved, the driver education instructors, and will enable them to make a living as they have and not involve them in the intricacies and Byzantine byways of bureaucratic entrapment."

The motion was put by the Chair and carried, and S.B. No. 1057, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER EDUCATION INSTRUCTORS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Holt).

Senate Bill No. 1288, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 1288, S.D. 1,

H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOXING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Holt).

Senate Bill No. 1292, S.D. 2, H.D. 1:

Senator Cobb moved that S.B. No. 1292, S.D. 2, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

Senator Abercrombie then rose on a point of inquiry and said:

"Mr. President, on a point of inquiry, I was under the impression that these bills that involve monetary items were being deferred?"

The Chair answered: "Senator Abercrombie, there is a Governor's message requesting immediate passage of this bill."

Senator Abercrombie continued: "I see. Mr. President, under those circumstances, could I ask for a one-day deferment?"

By unanimous consent, action on S.B. No. 1292, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT OF THE HOLO HOLO CASES," was deferred until Thursday, April 14, 1983.

Senate Bill No. 1294, S.D. 1, H.D. 1:

Senator Cobb moved that S.B. No. 1294, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

Senator Carpenter then queried: "Mr. President, I'd just like to get the Chair's assurance that any neighbor island Senators voting on this measure would not be in conflict."

The Chair ruled that there was no conflict.

Senator Cayetano in support of the measure stated: "Mr. President, I'm going to vote for this bill because it, I think, corrects an injustice to our neighbor island colleagues. I would hope, however, that maybe next session the Seante would address the injustice to our staff.

"As you know, our staff works long hours; they work weekends; they

don't get paid overtime; they just don't get compensated. It's nice to take care of our colleagues but maybe next year, how about the staff?"

The Chair responded: "We'll decide that in the legislative expense bill to be proposed next year."

Senator Cayetano continued: "Mr. President, I'm reminded by my counsel here to my left that regarding staff, I believe early in the session I thought you made a statement that they would be taken care of this year."

The Chair answered: "They will be."

Senator Cayetano responded: "Very good, thank you."

The motion was put by the Chair and carried, and S.B. No. 1294, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALLOWANCES FOR LEGISLATORS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (George, Henderson, A. Kobayashi and Soares). Excused, 1 (Holt).

At 12:35 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:37 o'clock p.m.

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Tuesday, April 12, 1983:

Senate Concurrent Resolution	Referred to:	
No. 96 Judiciary	Committee	on
No. 97 Transportation	Committee	on
No. 98 Education	Committee	on
No. 99 Education	Committee	on
No. 100	Committee on Health	
No. 101	Committee on Consumer Protection and Commerce	

No. 102	Committee on Health	
No. 103	Jointly to the Committee on Health and the Committee on Human Resources	
No. 104	Committee on Agriculture	
No. 105	Committee on Youth and Elderly Affairs	
No. 106	Committee on Ways and Means	
No. 107	Committee on Health	
No. 108	Committee on Hawaiian Programs	
No. 109	Committee on Human Resources	
No. 110	Committee on Economic Development	
No. 111	Committee on Economic Development	
No. 112	Committee on Economic Development	
No. 113	Committee on Ecology, Environment and Recreation	
No. 114	Committee on Tourism	
No. 115	Committee on Consumer Protection and Commerce	
No. 116	Committee on Youth and Elderly Affairs	
No. 117	Committee on Human Resources	
No. 118	Committee on Economic Development	

REFERRAL OF SENATE RESOLUTIONS

The President then made the following committee assignments of resolutions that were offered on Wednesday, April 13, 1983:

Senate Resolution	Referred to:	
No. 110	Committee on Higher Education, then to the Committee on Legislative Management	
No. 111	Committee on Education	on
No. 112	Committee on Hawaiian Programs	on

No. 113	Committee on Youth and Elderly Affairs		Hawaiian Programs, then to the Committee on Legislative Management
No. 114	Committee on Transportation	on	No. 136 Committee on Youth and Elderly Affairs
No. 115	Committee on Education	on	No. 137 Committee on Economic Development, then to the Committee on Legislative Management
No. 116	Committee on Education	on	No. 138 Committee on Human Resources, then to the Committee on Legislative Management
No. 117	Committee on Economic Development	on	No. 139 Committee on Human Resources
No. 118	Committee on Housing and Urban Development	on	No. 140 Committee on Government Operations and County Relations
No. 119	Committee on Education	on	No. 141 Committee on Ecology, Environment and Recreation
No. 120	Committee on Health		No. 142 Committee on Economic Development
No. 121	Jointly to the Committee on Health, the Committee on Human Resources and the Committee on Youth and Elderly Affairs, then to the Committee on Legislative Management		No. 143 Committee on Ecology, Environment and Recreation
No. 122	Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management	on	No. 144 Committee on Tourism
No. 123	Committee on Health		No. 145 Committee on Consumer Protection and Commerce
No. 124	Jointly to the Committee on Health and the Committee on Human Resources		No. 146 Committee on Ecology, Environment and Recreation, then to the Committee on Legislative Management
No. 125	Committee on Red Tape		At this time, Senator Aki, Chairman of the Committee on Economic Development, requested a waiver of the 48-hour notice of a Public Hearing on Senate Bill No. 1075, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," and the President granted the waiver.
No. 126	Jointly to the Committee on Health and the Committee on Youth and Elderly Affairs		
No. 127	Committee on Agriculture	on	
No. 128	Committee on Health, then to the Committee on Legislative Management	on	
No. 129	Committee on Health		
No. 130	Committee on Health		
No. 131	Committee on Health		
No. 132	Committee on Economic Development	on	
No. 133	Committee on Ways and Means, then to the Committee on Legislative Management		
No. 134	Committee on Health		
No. 135	Committee	on	

RECONSIDERATION OF
ACTION TAKEN

Senator Cobb moved that the Senate reconsider its action taken on April 7, 1983 on Senate Bill No. 42, S.D. 2, H.D. 1, seconded by Senator Chang.

Senator Cobb explained as follows:

"Mr. President, basically, we had disagreed to allow the committee enough time to check with all affected parties on the bill. They are in accord with the changes made by the House; therefore, we are agreeing."

The motion to reconsider the action

was put by the Chair and carried.

On motion by Senator Cobb, seconded by Senator Chang and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 42, S.D. 2, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on the Final Reading of S.B. No. 42, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELEVATOR MECHANICS."

CHANGE OF CONFERENCE COMMITTEE MANAGERS

Senate Bill No. 1092, S.D. 1 (H.D. 2):

The President appointed Senator Machida as a Manager and discharged Senator Mizuguchi as a Manager on the part of the Senate at the conference to be held to consider the amendments proposed by the House to S.B. No. 1092, S.D. 1.

Senate Bill No. 903, S.D. 1 (H.D. 2):

The President discharged Senator Chang as a Manager on the part of the Senate at the conference to be held for the consideration of amendments made by the House to S.B. No. 903, S.D. 1.

Senate Bill No. 907 (H.D. 1):

The President appointed Senator Henderson as a Manager and discharged Senator Soares as a

Manager on the part of the Senate at the conference to be held to consider the amendments proposed by the House to S.B. No. 907.

Senate Bill No. 1008 (H.D. 1):

The President appointed Senator Kuroda as an additional Manager on the part of the Senate at the conference to be held for the consideration of amendments made by the House to S.B. No. 1008.

Senate Bill No. 1075, S.D. 1 (H.D. 2):

The President appointed Senator Kuroda as a Manager and discharged Senator Chang as a Manager on the part of the Senate at the conference to be held to consider the amendments proposed by the House to S.B. No. 1075, S.D. 1.

Senate Bill No. 1082, S.D. 1 (H.D. 1):

The President appointed Senators Holt and Machida as additional Managers and discharged Senator Chang as a Manager on the part of the Senate at the conference to be held for the consideration of amendments made by the House to S.B. No. 1082, S.D. 1.

ADJOURNMENT

At 12:45 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, April 14, 1983.

FIFTY-FOURTH DAY

Thursday, April 14, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend William Lamb of the Hawaii Baptist Convention, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Fifty-Third Day.

At this time, Senator Machida, on behalf of Senators Solomon, Yamasaki and himself, introduced a group of 87 fourth grade students from Kam III School from Lahaina, accompanied by their teachers, Mrs. Evelyn Kishi, Mrs. Josephine Grieg, Mrs. Gladys Fujii and Mrs. Cecilia Balinbin; their parent chaperones, Mrs. Adele Baptise, Mrs. Sylvia Neizman, Mrs. Paula Ventura, Mrs. Janice Hussey, Mrs. Davida Galon, Mrs. Stephie Ouchi, Mrs. Rosa Ochoa and a representative from Aloha Airlines, Mr. Joe Balangitao.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 540 to 560), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 540) transmitting House Concurrent Resolution No. 97, H.D. 1, which was adopted by the House of Representatives on April 12, 1983, was placed on file.

By unanimous consent, H.C.R. No. 97, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING OPPOSITION OF THE NEW FEDERAL LAW REQUIRING ASSESSMENTS TO DAIRY FARMERS TO OFFSET THE MILK SURPLUS," was referred to the Committee on Agriculture.

A communication from the House (Hse. Com. No. 541) transmitting House Concurrent Resolution No. 154, which was adopted by the House of Representatives on April 12, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 154, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING THE WEEK OF APRIL 18,

1983 AS 'HAWAIIAN OCEAN FAIR WEEK,'" was adopted.

A communication from the House (Hse. Com. No. 542), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 702, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which, on April 13, 1983, the Speaker appointed Representatives Kiyabu, Chairman, Bunda, Chun, Crozier, Graulty, Kawakami, Levin, Morgado, Nakata, Souki, Tam, Wong, Yoshimura, Anderson and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 543), informing the Senate that on April 13, 1983, the Speaker added Representatives Kawakami, Kiyabu, Morgado, Yoshimura and Ikeda as Managers on the part of the House at the conference on Senate Bill No. 313, S.D. 1, H.D. 2, was placed on file.

In accordance therewith, the President appointed Senators Holt, Chairman, Mizuguchi and Machida as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 544), informing the Senate that on April 13, 1983, the Speaker added Representatives Chun and Graulty as Managers on the part of the House at the conference on Senate Bill No. 241, S.D. 1, H.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 545), informing the Senate that on April 13, 1983, the Speaker added Representative Kiyabu as Co-Chairman together with Representative Stanley and added Representatives Graulty, Kawakami and Anderson as Managers on the part of the House at the conference on Senate Bill No. 1092, S.D. 1, H.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 546), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 115, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1983, the Speaker appointed Representatives Albano and Kawakami,

Co-Chairman, Chun, Graulty, Hayes, Tam, Yoshimura and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 547), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 133, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1983, the Speaker appointed Representatives Okamura, Chairman, Kiyabu-Saballa, Matsuura, Souki and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 548), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 324, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1983, the Speaker appointed Representatives Takamine and Kiyabu, Co-Chairman, Kawakami, Nakata, Say, Souki and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 549), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 370, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 13, 1983, the Speaker appointed Representatives Takamine and Kiyabu, Co-Chairman, Crozier, Kawakami, Matsuura, Nakata and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 550), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 555, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 13, 1983, the Speaker appointed Representatives Shito, Chairman, Hirono, Kim, Levin, Matsuura and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 551), informing the Senate that pursuant to the dis-

agreement of the Senate to the amendments proposed by the House to Senate Bill No. 742, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 13, 1983, the Speaker appointed Representatives Shito and Taniguchi, Co-Chairman, Hayes, Kim, Nakasato and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 552), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 903, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 11, 1983, the Speaker appointed Representatives Say and Kiyabu, Co-Chairman, Kawakami, Kiyabu-Saballa, Matsuura, Menor, Morgado, Okamura, Yoshimura and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 553), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 993, and the request for a conference on the subject matter of said amendments, on April 13, 1983, the Speaker appointed Representatives Takamine and Andrews, Co-Chairman, Hashimoto, Hee, Morgado and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 554), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1008, and the request for a conference on the subject matter of said amendments, on April 13, 1983, the Speaker appointed Representatives Say and Andrews, Co-Chairman, Hagino, Kawakami, Kiyabu-Saballa, Souki and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 555), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1050, and the request for a conference on the subject matter of said amendments, on April 13, 1983, the Speaker appointed Representatives Hashimoto, Chairman,

Leong, Morgado, Okamura and Jones as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 556), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1082, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1983, the Speaker appointed Representatives Say and Andrews, Co-Chairman, Bunda, Kawakami, Kiyabu, Matsuura, Morgado and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 557), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1062, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 13, 1983, the Speaker appointed Representatives Say and Kiyabu, Co-Chairman, Bunda, Hashimoto, Kawakami, Menor and Dang as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 558), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1075, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 13, 1983, the Speaker appointed Representatives Shito, Chairman, Crozier, Kim, Lardizabal, Levin, Matsuura and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 559), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1122, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 13, 1983, the Speaker appointed Representatives Hashimoto, Chairman, Apo, Kawakami, Kiyabu, Yoshimura and Jones as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 560), informing the Senate that pursuant to the dis-

agreement of the Senate to the amendments proposed by the House to Senate Bill No. 1254, and the request for a conference on the subject matter of said amendments, on April 13, 1983, the Speaker appointed Representatives Hagino, Chairman, Apo, Kiyabu-Saballa, Menor, Okamura and Dang as Managers on the part of the House for the consideration of said amendments, was placed on file.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 879) informing the Senate that Standing Committee Report Nos. 880 and 896 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55 o'clock a.m.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 880) recommending that House Bill No. 431, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and H.B. No. 431, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 18, 1983.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 881) recommending that Senate Resolution No. 8, as amended in S.D. 1, be adopted.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.R. No. 8, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING STATE AND COUNTY AGENCIES ISSUING PUBLIC CONTRACTS TO INFORM CONTRACTORS OF THE LAWS ALLOWING THE SUBSTITUTION OF

RETAINAGE WITH GENERAL OBLIGATION BONDS," was adopted.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 882) recommending that Senate Concurrent Resolution No. 18, as amended in S.D. 1, be adopted.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.C.R. No. 18, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING STATE AND COUNTY AGENCIES ISSUING PUBLIC CONTRACTS TO INFORM CONTRACTORS OF THE LAWS ALLOWING THE SUBSTITUTION OF RETAINAGE WITH GENERAL OBLIGATION BONDS," was adopted.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 883) recommending that Senate Concurrent Resolution No. 92 be adopted.

At this time, Senator Kawasaki rose and stated:

"I have a few questions to ask the chairman of the subject matter committee regarding S.C.R. No. 92...."

Senator Soares then rose and stated:

"Point of order, Mr. President, I think if you are going to talk about S.C.R. No. 92, then you should also include in your discussion S.R. No. 110. It is the companion resolution listed under Standing Committee Report No. 895 on page 5 of the Order of the Day."

Senator Toguchi then rose and stated:

"Mr. President, could we defer this matter one day because we only have the committee report. We don't have the resolution as it just hit the floor this morning. Is it possible to defer this to the end of the calendar?"

By unanimous consent, action on Stand. Com. Rep. No. 883 and S.C.R. No. 92 was deferred to the end of the calendar.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 884) recommending that Senate Resolution No. 93 be adopted.

On motion by Senator Holt, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.R. No. 93, entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AND THE BOARD OF REGENTS TO SUBMIT A COMPREHENSIVE REPORT ON ITS CURRENT STUDENT REGISTRATION SYSTEM, CLASS REGISTRATION, AND COURSE SCHEDULING SYSTEM INCLUDING AN ASSESSMENT OF ANY DEFICIENCIES, AND RECOMMENDATIONS FOR IMPROVEMENT," was adopted.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 885) recommending that Senate Resolution No. 31 be adopted.

On motion by Senator Holt, seconded by Senator Uwaine and carried, the report of the Committee was adopted and S.R. No. 31, entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT A STUDY ON THE ADMINISTRATIVE, PHYSICAL, AND EDUCATIONAL INTEGRATION EXPERIENCE OF THE UNIVERSITY OF HAWAII AT HILO SINCE ITS INCEPTION IN JULY, 1970," was adopted.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 886) recommending that the Senate advise and consent to the nominations of Daniel M. Ishii and Gladys Ainoa Brandt, to the Board of Regents, University of Hawaii, in accordance with Governor's Message No. 239.

By unanimous consent, action on Stand. Com. Rep. No. 886 and Gov. Msg. No. 239 was deferred until Friday, April 15, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 887) recommending that the Senate advise and consent to the nomination of Dennis G. Aguiar, to the Civil Service Commission, in accordance with Governor's Message No. 197.

By unanimous consent, action on Stand. Com. Rep. No. 887 and Gov. Msg. No. 197 was deferred until Friday, April 15, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 888) recommending that the Senate advise and consent to the nominations of Tom

Foye, Joseph Jay Furfaro and William Y. Yamada, William F. Murray, Ed.D., Betty S.J. Chung and Rowena L. Blaisdell, to the Advisory Commission on Manpower and Full Employment, in accordance with Gov. Msg. No. 198.

By unanimous consent, action on Stand. Com. Rep. No. 888 and Gov. Msg. No. 198 was deferred until Friday, April 15, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 889) recommending that the Senate advise and consent to the nominations of Sally Ann Price, Richard Y. Suehiro and Bobby G. Smith, to the Board of Vocational Rehabilitation, in accordance with Governor's Message No. 200.

By unanimous consent, action on Stand. Com. Rep. No. 889 and Gov. Msg. No. 200 was deferred until Friday, April 15, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 890) recommending that the Senate advise and consent to the nomination of Joshua C. Aagsalud as Director of Labor and Industrial Relations, in accordance with Governor's Message No. 241.

By unanimous consent, action on Stand. Com. Rep. No. 890 and Gov. Msg. No. 241 was deferred until Friday, April 15, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 891) recommending that the Senate advise and consent to the nomination of Franklin Y.K. Sunn as Director of Social Services, in accordance with Governor's Message No. 242.

By unanimous consent, action on Stand. Com. Rep. No. 891 and Gov. Msg. No. 242 was deferred until Friday, April 15, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 892) recommending that the Senate advise and consent to the nomination of Peter T. Suemori, to the Board of Trustees, Employees' Retirement System, in accordance with Governor's Message No. 243.

By unanimous consent, action on Stand. Com. Rep. No. 892 and Gov. Msg. No. 243 was deferred until

Friday, April 15, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 893) recommending that the Senate advise and consent to the nominations of Justin Wong and J.N. Musto, to the Board of Trustees, Hawaii Public Employees Health Fund, in accordance to Governor's Message No. 244.

By unanimous consent, action on Stand. Com. Rep. No. 893 and Gov. Msg. No. 244 was deferred until Friday, April 15, 1983.

Senator Mizuguchi, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 894) recommending that the Senate advise and consent to the nominations of Robert E. Cooling and Valri Lei Kunimoto, to the Board of Trustees for Deferred Compensation Plan, in accordance with Governor's Message No. 268.

By unanimous consent, action on Stand. Com. Rep. No. 894 and Gov. Msg. No. 268 was deferred until Friday, April 15, 1983.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 895) recommending that Senate Resolution No. 110 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 895 and S.R. No. 110 was deferred to the end of the calendar.

Senator Hagino, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 896) recommending that the Senate advise and consent to the nomination of Jack K. Suwa as Chairman, Board of Agriculture, in accordance with Governor's Message No. 219.

By unanimous consent, action on Stand. Com. Rep. No. 896 and Gov. Msg. No. 219 was deferred until Friday, April 15, 1983.

At 11:57 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:58 o'clock a.m.

ORDER OF THE DAY

MATTERS DEFERRED FROM
APRIL 13, 1984

FINAL READING

S.B. No. 117, H.D. 1:

Senator Hagino moved that S.B. No. 117, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kuroda.

At this time, Senator Hagino rose and stated:

"Mr. President, I rise to speak in favor of Senate Bill No. 117, H.D. 1. This bill will allow for the calling out of the National Guard into active service for non-emergency situations. It would allow for such activities as helicopter rescue searches, color guards in state celebrations, welcoming of dignitaries, providing instructors and support for the Hawaii Military Academy, participate in Civil Defense disaster exercises, provide helicopter support to airlift generators and support to the Hawaii Volcano Observatory. Over the past ten years the average annual cost for these activities was about \$5,000.

"I would like to read a portion of Standing Committee Report No. 318 which accompanied this bill. 'Your committee finds that it has been a long standing practice to utilize National Guard personnel for special protocol assignments, support of state occasions and special departmental functions. This bill will legitimize this practice by providing statutory authority for utilizing National Guard personnel for these activities.'

"In recommending approval of this measure, it is the intent of your committee that the expanded authority granted to the Governor only be utilized to provide the services currently being performed and not to further expand non-emergency use of the National Guard.'

"I'm sure it will be pointed out that this is only a committee report and does not carry much weight. I am confident that concerns raised over the past two days and cited in the committee report are important expressions of legislative intent. I have often heard legislators quoting from standing committee reports to emphasize their arguments on the meaning of certain statutes.

"There was some concern that this bill would allow the Governor to utilize the National Guard as a strike breaking force. The Governor already has the authority to do this, to prevent forcible obstruction of the execution of the laws, or reasonable apprehension thereof and to protect the health and welfare of the

citizenry.

"This bill allows the National Guard to be called into active service in non-emergency situations for duty and training in addition to drill and instruction. I would like to emphasize that the non-emergency situations are for duty and training. While duty is not defined in this chapter, the word appears throughout this chapter in the context of military duty consistent with the regulations and customs of the armed forces of the United States.

"Mr. President, this matter was deferred for two days to address some of the concerns raised. I spent these two days talking to various members of the community and labor organizations. The consensus was that this bill will not open a Pandora's Box to abuse of the National Guard by any Governor. Thank you."

Senator Carpenter then rose and stated:

"Mr. President, the chairman of the committee was good enough to answer a question which I posed to him earlier today. And that is related to the question of whether or not for non-emergency situations, the Governor would be obliged to render the proclamation through an executive order and the chairman answered that for this particular situation, the executive order would not be required. Am I correct, Mr. Chairman?"

Senator Hagino answered in the affirmative and Senator Carpenter continued:

"Mr. President, I wanted to ask one more question relating to the number of individuals that could be ordered to active duty by this particular situation...whether or not that could be one, two, or several? Would the chairman yield to that question, please?"

The question was posed by the Chair and Senator Hagino replied:

"Yes, Mr. President, there is no limit as to the number of individuals that could be called back. I think the limiting factor would be that under this division or branch there is \$80,000 currently allocated for active military duty payment. A lot of this money is used for other services and currently, it is about \$7,000 that is used annually to fund such activities and I find it hard to find any justi-

fiction that this could be used entirely for such situations."

Senator Carpenter then replied:

"Thank you, Mr. Chairman. Mr. President, I must speak against this bill.

"Mr. President, it seems somewhat incongruous that under the present process, the Chief Executive would have to issue an executive order to carry out the activation of a portion of the National Guard which is not already in active service to come forth and render an emergency kind of service, (which is the present process,) and for a non-emergency, then, not to be required to come forth with a proclamation or executive order. That on its face, seems to be incongruous.

"Mr. President, I'd like to point out also that the bill basically has no time limit; that is to say, that the Governor, or a representative of the Governor, can call away an individual or perhaps several individuals for an indeterminate period of time. A possibility exists, I think, in the broad language existing here that individuals could possibly be allowed to finish out time in active service which would allow them, on a preferential basis, perhaps, to gain retirement benefits and could possibly be used as a political award system. I recognize that it certainly is not intended to do this, but I believe it could possibly be used for this purpose.

"Mr. President, I think the language is so broad and more to the point, the executive order is a very special device of the Governor. In light of the fact that it would not be required for a non-emergency type service activation as contrasted to being required for emergency service activation. I believe that the bill on its face is defective in that the language already existing in Section 121-30 allows the Governor to carry out all of the functions enumerated by the chairman of this committee and that would be for ceremonial purposes, as well. The language in the existing chapter already allows for the situation that is requested here to be accommodated. Thank you."

Senator Abercrombie then rose and queried:

"Mr. President, perhaps the chairman would be willing to answer a question?"

The question was posed and Senator

Hagino having answered in the negative, Senator Abercrombie continued:

"I don't blame the chairman after the answers that have been given to this point, and I will leave it to the chairman to deal with these issues. I will point out that this is a public body. The chairman has made his statement and he is now saying that he will not answer a question. Perhaps it is because he cannot answer the questions. And this is how we conduct business in the State Senate. We have to come down on the floor and ask the obvious questions that should have been handled and could have been handled by a little bit of inquiry ahead of time. And now, we are denied this exchange because the chairman is unwilling to answer a question.

"Whether he is able to answer the question will have to be decided by those who witness these circumstances and read the record. I think it is a sad day when we are in a position where there is a bill with such obvious defects. I can see what's coming and I think it's important that everybody understands what's going to happen is that a lousy bill, one that has implications, serious implications in terms of civil liberties, in terms of the rights of people, that are only too well exemplified in the removal of Mr. Walesa, for example, for a little questioning! Now, that wouldn't possibly happen in the State of Hawaii. Of course not! We all know one another; we'll never have a Governor who might want to take advantage of that, will we?

"You don't write laws this way, and everybody on this floor knows it! You don't put into the statutes those things that are dependent on personalities! When you put something into statute, you open the door for anyone and everyone who is able to establish their authority, their lawful authority, to do things. I submit to you, Mr. President, in speaking against this bill that under normal circumstances, this bill would never be on the floor! If this is just a question of seeing whether you have votes, well, it's already been established that you have votes. And if that's how we're going to pass legislation, simply whether the votes are there, then what are we going to produce as a product for this session?

"Let me just cite another example. The chairman could have answered a question as to whether or not if there is a discovery that there are chicken fights going on on the island,

whether or not the National Guard will be called out to patrol these areas. Can people in the National Guard expect to be called out every Saturday and Sunday now? There are some people in authority in this state at this time who would be perfectly happy to do exactly that.

"There have been court cases, have there not, Mr. President, of recent vintage in which at least one executive authority in this state, to wit the Prosecutor of the City and County of Honolulu, has decided that a route available through the courts should be one thing and the courts have decided another with respect to whether or not these areas where chicken fights take place can be patrolled, raided, invaded, whatever phrase you want to use.

"Now, I can read the English language, and even if the chairman is unwilling to discuss it, the English language or anything else, it is nonetheless his recommendation and his bill that is before us. And it states certain things. It says certain things quite specifically. It says that there need not be any kind of emergency. The previous speaker pointed out that if you have an emergency, you need a proclamation. Here, we're saying you don't have an emergency and you don't need a proclamation. You don't need anything!

"Inasmuch as there was no rebuttal, apparently Senator Carpenter's remarks can be used to take care of people; to give them time in service so that they can get their retirement benefit is a possibility. There was no denial. On the contrary, the chairman stated, 'yes' there was no limit to this. It could be one; it could be two; it could be for any reason; it doesn't have to be a good reason. Is there anything in this bill that says we can only do this for good reasons? Who's going to conduct it? Big Bird from Sesame Street? This is not the way you pass legislation!

"The fact of the matter remains that there's been no discussion by the Ways and Means Committee as to whether or not there are going to be ramifications beyond the \$7,000. But, that's before you passed this legislation. The second this legislation passes, you invite, then, the expenditure of a great deal more funds. According to the legislation before us, there's nothing we can do to prevent it. We can say, 'Oh, we can go to the budget,' but if it's legal, and we are saying to the

Governor or his representative that they can do this, how then are we to deny them the funds?

"The chairman says that it is not the intent to do further than what the committee report says, but intent is not what is in the language. You refer to intent only in terms and it must be expressed in the language of this statute, not in the language of the report. The intent in the language of the statute, should it pass, is quite clear. It says that the Governor or a representative of the Governor can do anything he or she pleases with respect to the things that have been outlined already. I find it very interesting that, for example, that the chairman does not consider a volcanic eruption a situation that might constitute an emergency. This is cited as an example of a non-emergency use or rescue.

"The plain fact of the matter is that this bill would never, under other circumstances, have gotten on to the floor. It would have had to have been reworked considerably, and if it passes now, in the absence of a repeal later on when the public might not be looking as closely, it could be utilized by a Governor whose motives may not be as pure as those of the chairman's for purposes other than the intent as exists in this committee report.

"Now, I would submit, and I would welcome any rebuttal that this bill would not stand a prayer of passing if this thing was being conducted on the level. And, for those unnamed unions or other people concerned, as mentioned by the chairman, who seemed to have no problem with it, it may be that it is no problem, we're trying to protect the chairman, but they're certainly not looking out for the membership either of the unions or any other working people in this state.

"Before you go and vote on this bill, please think about it. If you want to discount the fact that I'm talking about it or one of the previous speakers is talking about it, or we've had our difficulties, I hope you will. If you want to put it on a basis of 'well, we're going to pass it anyway,' you can do that too.

"I think in this instance, I can refer back to a bipartisan example. This can go right back to the wire-tapping bill, and I brought into the discussion the views of then Senator Hiram Fong with respect to the

invasion of privacy, with respect to the civil rights of people. People in Hawaii, regardless of party affiliation, regardless of their alliances at the moment, should be acutely aware, more than anyone else about what happens when you violate people's civil rights. When you give a sanction to the government, the only organ in our society capable of exercising organized violence, the power to do things to other people in an unlimited fashion...the whole history of the United States, and most particularly in California and the State of Hawaii with what happened in World War II with the incarceration of people in detention camps...with the civil rights movement responses in the South of the United States, with which the President of this Senate is personally familiar in terms of his participation in it. You see, it happens. It happens in other countries. It happens in other states. It's happened in this state when it was a territory, that legal authority, under cover of law, is able to do terrible things to the civil liberties of the citizens or the residents of that state, region, territory, nation or even region of the world.

"If you want to make this an issue, simply for partisan passage, in terms of the current structure of the Senate, or if you want to think that this discussion was merely a diverting situation, something to occupy the time, among other things, I think, the President knows full well that this is not the case, and that these kinds of questions, these kinds of issues would have been raised in any event. They are not desultory, they are not for that purpose.

"There is a serious piece of legislation here before us in terms of the abrogation of civil liberties, and to pass this bill is to fly in the face of the record of progress in terms of protection of our citizenry that has been the record in this state, regardless of party affiliation since the end of World War II.

"Mr. President, that statement and the contention that I am making is not overdrawn by any means. It is not a question of hyperbole. It is a fundamental question of philosophy of this body with respect to whether we're going to carry on the tradition and in fact to further commend and commit ourselves to that record of civil liberties protection in this state! It doesn't matter one whit that we have hopes that someone won't abuse it. What matters is what was our

intention when we did this and did we manifest that intention in the language of the law, and if those two things cannot be combined adequately, we have no business passing the legislation!

"Over and over again, I've learned in this body that when a doubt exists in that manner, take it back and work on it; come back with what you're sure you can stand with. There's no shame in that. Virtually everybody in this Senate has done this more than once; committed bills back into committee for review and come back afterwards when you're sure that you can stand with it and stand proudly. Not only is there no shame in that, Mr. President, but that shows an attitude of responsibility that no one can question, and, if people want to see this argument then in terms of victory or loss, and all the rest of it, they can do so. I don't view it that way, and I think you know me well enough in that respect.

"It would be a loss, yes, for our civil liberties, and a loss, I think, for the Senate to take it under these kinds of circumstances. But in terms of recommitment of the bill at this state, it would show that we had the good sense to be able to take each other's views into account and say, 'Let's go to work on it and let's see if we can clean it up; let's see if we can clear it up, and come back with something that we can all vote on in good, clear conscience.' Thank you."

The motion was put by the Chair and carried, and Roll Call vote having been requested, S.B. No. 117, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 7 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Henderson, Kawasaki and A. Kobayashi). Excused, 3 (George, Soares and Toguchi).

At this time, Senator Abercrombie rose and stated:

"Mr. President, I rise on a point of personal privilege.

"With respect to the passage of S.B. No. 117, H.D. 1, I regret very much that I am forced to believe that the issue was settled on grounds other than the merits, per se. I wish I could think otherwise, but I

can't, so I'm not going to or pretend otherwise to you.

"I will say this, that the best that I can hope out of this bill is that we don't find ourselves in the same situation as we did with the Thrift Guaranty Corporation, and with some of the other bills that have passed here previously. Majorities, overwhelming majorities passed such legislation in the past and only brought people to grief. And what we have to hope now, here, is that as a result of the action today, at some point in the future the dangers that have been outlined here in the record do not bear fruition in the action of an irresponsible executive authority.

"What we have done, I am afraid, is to open up the door for just such activity should someone like that ever assume the reigns of executive power in this state."

Senate Bill No. 640, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 640, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS," was deferred until Friday, April 15, 1983.

Senate Bill No. 1292, S.D. 2, H.D. 1:

Senator Yamasaki moved that S.B. No. 1292, S.D. 2, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator B. Kobayashi.

At this time, Senator Abercrombie rose and stated:

"Mr. President, I rise to speak in favor of this settlement.

"Mr. President, my only reservation is that this is so long in coming. The families in this case have suffered far beyond what should be expected of anyone. It is my great regret that at least one of the people involved, who should have shared in this settlement, has passed away and is unable at least to experience the knowledge that her family was vindicated in this settlement.

"The question still remains as to the propriety of the approach of having a member of the Attorney General's staff take the case, if you will, into the civilian area. I think this Legislature should deal with that question. We most certainly should deal with whether or not the approach

in this case was handled competently. I, for one, will not let this case slide under the rug. I think that there is a serious question as to whether competent counsel was received by the state in this case, inasmuch as this settlement, and actually even almost the exact amount could have been made years ago.

"So, I don't think we should delay the remuneration to the degree that that can compensate even remotely for the losses involved, but I do not think, as well, that this settles the case in terms of our responsibility in the Legislature that this kind of representation and this kind of so-called defense of the state does not take place again."

The motion was put by the Chair and carried and S.B. No. 1292, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF SETTLEMENT OF THE HOLO HOLO CASES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Cobb, George, Soares and Toguchi).

FINAL READING

Senate Bill No. 492, S.D. 1, H.D. 2:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 492, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ajifu and George).

Senate Bill No. 122, S.D. 1, H.D. 2:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 122, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL RECORDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ajifu and George).

Senate Bill No. 1186, S.D. 1, H.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 1186, S.D. 1,

H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS JURISDICTION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ajifu and George).

Senate Bill No. 179, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chang and carried, S.B. No. 179, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS AND SOLICITORS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ajifu and George).

Senate Bill No. 176, S.D. 1, H.D. 1:

Senator Cobb moved that S.B. No. 176, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chang.

At this time, Senator Carpenter rose and stated:

"Mr. President, on a point of inquiry to the chairman of the committee relating to Section 4 in Senate Bill 176, S.D. 1, H.D. 1. Section 4 states that this bill is contingent upon the passage of H.B. No. 657. I wonder if the chairman would enlighten us as to the disposition of that bill and how it relates to the impact of this bill?"

The question was posed and Senator Cobb replied:

"Mr. President, 657 is the House bill on the continuation of the Board of Electricians and Plumbers. The latest information I had is that the Board was continued for another six years with no problem."

Senator Carpenter then queried:

"Mr. President, if that is so, then, and this bill passes in this form, then it changes the language relating to full-time experience as contrasted to the original Senate position. Is that the position of the chair?"

Senator Cobb then replied:

"It was not the position of the chair. We had no objection to the matter and the bill on the matter of sunseting the Board of Electricians

and Plumbers involved only the sunset question; a separate bill."

The motion was put by the Chair and carried and S.B. No. 176, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS AND PLUMBERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (George).

THIRD READING

House Bill No. 1380:

On motion by Senator Machida, seconded by Senator Young and carried, H.B. No. 1380, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (George).

At 12:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:05 o'clock p.m.

House Bill No. 237:

Senator Machida moved that H.B. No. 237, having been read throughout, pass Third Reading, seconded by Senator Young.

At this time, Senator Cayetano rose and stated:

"Mr. President, I rise to speak against this bill. Mr. President, as I understand it, and let me quote from the committee report. It says, 'The purpose of this bill is to strengthen the Department of Health's capability to control the potential spread of tuberculosis.

"Presently the Department is hampered in its efforts to obtain medical information and x-rays because it must first be granted authorization by the patients, who are often hard to find, and because relevant information is not always reported by physicians in a timely manner.

"Your Committee finds that in order to increase its ability to evaluate and monitor patients and control the spread of tuberculosis,

the Department must have the authority to obtain all the records and x-rays it needs without delay.'

"Mr. President, I recognize the goal of the Department of Health is attempting to achieve with this bill, however, I think this is just another example of how government chips away at the privacy and civil liberties, if you will, of individuals. Most of us know that problems dealing with tuberculosis are primarily concentrated in the segments of our population which are made up of immigrants. We don't have this kind of bill, for example, to detect herpes, which is a more middle-class disease; we don't have this kind of bill to detect other kinds of diseases which affect the middle-class and people who vote. This bill infringes on the rights of these people because it allows the department to obtain records without the consent of the patient.

"I recognize, having been Health chairman before, that the bill also tries to get doctors to respond promptly to requests for information by the Department of Health; but where that falls, in my opinion, is that it authorizes the Department of Health to do so without obtaining the consent of the individual patients involved. I don't think anyone here, today, would stand for any state bureaucracy to be able to get our medical records without our consent. For that reason, I think that we should give the people who are affected by this bill, and as I say, most of them are immigrants, every consideration that we ourselves expect. If we don't want the State Government infringing on our privacy without permission, we should not let the State Government do this to other segments of the population who may not have the same kind of political power that we do. Thank you."

Senator Machida then rose and stated:

"Mr. President, just a few remarks in rebuttal. I've discussed this concern with the previous speaker and I understand why he is concerned about this particular piece of legislation. However, as all of us know, the problem of controlling tuberculosis has been primarily in the area of immigrants coming to the State of Hawaii, and this has been a big problem for the Department of Health in terms of obtaining records to substantiate if any person has the disease or not. And this bill just expedites this process and hopefully,

with the enactment of this bill, we would be able to control tuberculosis to a better degree. Thank you."

Senator Cayetano then stated:

"Mr. President, just a short rejoinder. The problem with this bill is the statement that is made in the committee report, that the patients are hard to find. Mr. President, if anyone is easy to find, it's an immigrant. He comes to the United States with more rules and regulations that he has to meet; he has to let the Department of Immigration Services know where the hell he is. I don't see why the Department of Health has such a hard time finding these people and asking for consent. That's my problem with this bill."

Senator Fernandes Salling then rose and stated:

"Mr. President, will the chairman of the committee yield to a question?"

Senator Machida replied:

"I'll listen to the question, Mr. President."

Senator Fernandes Salling continued:

"Okay, your bill states that the information will be released of any person suspected by the Department of Health to have tuberculosis. How would you determine when someone is suspected to have tuberculosis?"

Senator Machida then replied:

"Mr. President, I don't know what the actual process is, in terms of how the person is suspected of having the disease. However, the problem lies in the area of these immigrants having this disease upon entry into the State of Hawaii, and this bill just makes it possible for them to determine whether a patient is afflicted by this or not. As to the actual process of how a person is suspected of having this disease, I can't answer that particular question."

By unanimous consent, action on H.B. No. 237, entitled: "A BILL FOR AN ACT RELATING TO THE CONTROL OF TUBERCULOSIS," was deferred until Friday, April 15, 1983.

House Bill No. 240:

By unanimous consent, action on H.B. No. 240, entitled: "A BILL FOR AN ACT RELATING TO THE REQUIRED BLOOD SAMPLES OF

PREGNANT WOMEN," was deferred until Friday, April 15, 1983.

ADVISE AND CONSENT

Standing Committee Report No. 876 (Gov. Msg. Nos. 132 and 133):

Senator Holt moved that Stand. Com. Rep. No. 876 be received and placed on file, seconded by Senator Uwaine and carried.

Senator Holt then moved that the Senate advise and consent to the nominations of the following:

Walter R. Steiger, to the Board of Regents, University of Hawaii, term to expire December 31, 1984; and

Stanley Mukai and Stephen Bess, to the Board of Regents, University of Hawaii, terms to expire December 31, 1986,

seconded by Senator Uwaine.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (George).

Senator Holt then moved that the Senate advise and consent to the nomination of J.W.A. Buyers, to the Board of Directors, Research Corporation University of Hawaii, term to expire December 31, 1986, seconded by Senator Uwaine.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (George).

Standing Committee Report No. 878 (Gov. Msg. Nos. 148, 149, 150, 254 and 269):

Senator Solomon moved that Stand. Com. Rep. No. 878 be received and placed on file, seconded by Senator Toguchi.

Senator Solomon then moved that the Senate advise and consent to the nominations of the following:

Bruce Fujimoto, to the Advisory Council for Children and Youth, term to expire December 31, 1983; and

Vince G. Bagoyo, Jr., to the Advisory Council for Children and Youth, term to expire December 31,

1986,

seconded by Senator Toguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (George).

Senator Solomon then moved that the Senate advise and consent to the nomination of Conrad Hokama, to the Advisory Council for Children and Youth, term to expire December 31, 1986, seconded by Senator Toguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (George).

Senator Solomon then moved that the Senate advise and consent to the nominations of Isadora Tai and Erasmus Patacsil, to the Progressive Neighborhoods Task Force, terms to expire December 31, 1986, seconded by Senator Toguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (George).

Senator Solomon then moved that the Senate advise and consent to the nominations of the following:

Betty Ona, to the Advisory Council for Children and Youth, term to expire December 31, 1984; and

Samuel J. Luna, to the Advisory Council for Children and Youth, term to expire December 31, 1986,

seconded by Senator Toguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (George).

Senator Solomon then moved that the Senate advise and consent to the nominations of the following:

Leonard E. Mason and Shizuko Mukaida, to the Policy Advisory Board for Elderly Affairs, terms to expire December 31, 1983;

Colette V. Browne, to the Policy

Advisory Board for Elderly Affairs, term to expire December 31, 1984; and

Samuel S. Luke, Felicidad D. Habon, Tuala Sevaaetasi, Helen Wiegert, Edward T. Yamada, Nora M. Kurosu and Yoshiaki Fujitani, to the Policy Advisory Board for Elderly Affairs, terms to expire December 31, 1986,

seconded by Senator Toguchi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (George).

At 12:10 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:15 o'clock p.m.

MATTERS DEFERRED FROM
EARLIER ON THE CALENDAR

Standing Committee Report No. 893 (S.C.R. No. 92):

Senator Holt moved that Stand. Com. Rep. No. 893 be adopted and that S.C.R. No. 92 be adopted, seconded by Senator Cobb.

At this time, Senator Kawasaki rose and stated:

"Mr. President, at this point, I really don't know whether to vote for this resolution or not. Because of some of the concerns expressed in the resolution and the reasons for them ...we have voiced these kinds of concerns for many years. Attending the committee hearings of the Higher Education Committee, I have some questions, first of all, on the cost implications. If the chairman of the Ways and Means Committee would yield to a question -- to which, probably, he alone would have the answer."

The question was posed by the Chair and Senator Yamasaki, having answered in the affirmative, Senator Kawasaki continued:

"This resolution requests that the study be conducted by the Legislative Auditor's office. What is the allocation that we have for the Auditor's office for such studies as mandated by both houses of the Legislature?"

Senator Yamasaki replied:

"Under Act I, we have \$150,000."

Senator Kawasaki then queried:

"\$150,000. Do we know how many studies are anticipated to be conducted by the Legislative Auditor's office with this kind of funding that we have provided in the Legislative expenses bill?"

Senator Yamasaki then replied:

"I believe that there is one workmen's compensation study that has been requested and this would then be the second one."

Senator Kawasaki then stated:

"I see. I think that there's another resolution requesting a study of the program of the pilots' association organization, as I recall."

Senator Yamasaki then replied:

"Yes, all of these studies would have to be upon the joint request of the President of the Senate and the Speaker of the House. They will be in charge of how the spending of the \$150,000 would be made."

Senator Kawasaki then stated:

"Fine, thank you very much. Mr. President, I notice in the 'whereas' clauses, it says, and let me read this: 'Whereas State funding for the Hawaii Program of the Western Interstate Commission on Higher Education has increased from \$30,000 for the 1959-61 biennium to a requested amount of \$2,326,709 for the 1983-85 biennium....' It appears to me, perhaps, we could require that a portion of this huge amount of \$2,236,000 be used to conduct this study instead of our tapping the Legislative Auditor's fund of the limited amount of \$150,000 with other studies anticipated for it.

"Further, let me read the 'Be it further resolved' clause, and I quote: 'BE IT FURTHER RESOLVED that the study and review include, but not be limited to, such areas as the past, present and future contribution of the Hawaii Program of the Western Interstate Commission on Higher Education to the state's higher education program, a comparative analysis of how the WICHE program is funded by each member state, an assessment of the criteria used by the Hawaii WICHE program for WICHE student certification, including priority consideration based on financial need, an assessment of the employment oppor-

tunities in Hawaii for WICHE students whose support fees to other WICHE receiver schools are funded by the State, and the impact and feasibility of implementing a repayment program for Hawaii WICHE students participating in the Professional Student Exchange Program and supported by support fees paid by the State to WICHE receiver schools;' and so forth.

"It just seems to me, perhaps, with the huge amounts of money we've been allocating to the WICHE program and to the administrators for the administration of the program, perhaps this kind of information is already on hand. Certainly some formula as to how these judgments are made should already be in existence and I just wonder whether we need to utilize the Legislative Auditor's staff to do this kind of study. I would assume that we could mandate a report by the WICHE program administrators to report back to us, addressing these concerns outlined in this resolution. And, perhaps, this is the way to go, rather than to have the Legislative Auditor be commissioned to do this study at a cost that's chargeable to the legislative expenses bill.

"So, I just wondered whether...and I noticed that there were four 'with reservations' signatures by the signatories to this...I just wondered whether we should not reassess the intent of this resolution asking the Auditor's office to do this. I think this kind of information could be mandated, or rather demanded of the administrators of the WICHE program and that we may not have to go to the cost implications intended here."

Senator Carpenter then rose and stated:

"Mr. President, just briefly, supporting the recommendation made by the previous speaker, and more in line with the fact that as indicated by the Ways and Means Committee chairman, the Legislative Auditor has \$150,000 to carry out a number of studies. I think we recently heard that the worker's compensation study alone would probably exceed \$100,000 and that doesn't leave too much, then, for other kinds of important studies. Thank you."

Senator Cobb then stated:

"Mr. President, speaking in favor of the resolution, the \$100,000 mentioned for the worker's compensation study was a ceiling, not a

minimum or floor that was discussed. Also, the fact that the study will be bifurcated; the preliminary report due prior to the 1984 session and the final report due prior to the 1985 session, so there will obviously be some supplemental funding in the 1984 legislative expenses bill to address precisely that point.

"Turning to the question of the resolution, Mr. President, having the WICHE Commission conduct a study on whether or not we would want to continue the WICHE program would hardly be an objective or impartial source to conduct such a study, and I think the Auditor or some other independent agency would better serve the job."

Senator Abercrombie then rose and stated:

"Mr. President, before I can say I'm one of those persons who signed 'W/R', and before I can say whether I would say I would speak for or against it, I would like to have a couple of questions answered by the chairman of the Higher Education Committee. If I may just address the questions to him?"

The question was posed and Senator Holt having answered in the affirmative, Senator Abercrombie continued:

"Thank you. My concern here, Mr. President is well known. I favor the loan program. I have in the past and I think, that is to say, I favor this program, the WICHE program, in terms of being a loan program that has been the stance of the Senate, I believe, this year. So this particular question to the chairman is, what is the effect on the Senate position of requiring this program to become a loan program if these resolutions pass; and is it still the position of the Senate that this program should become a loan program in this biennium budget?"

Senator Holt replied:

"Mr. President, the Senate position has not changed. It is our understanding, though, that the Senate bill which we passed out of the Senate over to the House for all intents and purposes is dead for this session. We propose this resolution, primarily because we feel that an in-depth study is necessary at this time. The bill we have in the House will carry over for next session, and at that time, we will look at the report by the Auditor and determine where to go from there."

Senator Abercrombie then rose and stated:

"Mr. President, if my understanding of the chairman's answer is correct, then, that for all intents and purposes, for this program to exist in the budget this year...may I reverse myself, please...and rather than ask the chairman of the Higher Education Committee, I would like to ask the chairman of the Ways and Means Committee a question as follows: Given the answer of the Higher Education chairman with respect to the bill that went from the Senate, is it still possible in the budget conference to sustain the position as enunciated by the chairman that this should be a loan program in the budget document to be determined in the conference?"

The question was posed and Senator Yamasaki replied:

"Yes, the budget contains an appropriation for WICHE. However, the loan portion is a separate matter and I guess that if the loan bill is passed, then this will be another consideration on the students who are in the WICHE program. But, however, the budget itself contains appropriations for the WICHE students."

Senator Abercrombie then queried:

"So, it would not be possible to try to require...what will be the legal import if a proviso was attached to the appropriation requiring it to be a loan?"

Senator Yamasaki then replied:

"If the proviso...."

Senator Abercrombie interjected:

"Excuse me, before the Senator answers, and I appreciate his willingness to do so, the reason I ask that question is that the previous speaker indicated that as far as he was concerned, it is still the Senate position to make it a loan program. That's why I'm asking the question. Is it possible to look at the appropriation as it exists now in the budget and attempt to make a suggestion to the House that approval of that be associated with the proviso that it be made a loan program?"

Senator Yamasaki then responded:

"The position that we have taken all along in proviso's is that a statutory change cannot be made with a proviso,

and therefore, in order to have a loan program instituted for the WICHE program we will need a statutory change, and the bill that's over in the House is for the purpose of making that change. If the bill doesn't go through, we cannot by proviso, change the law."

Senator Abercrombie then stated:

"Then I am afraid that I will have to direct my question to the Judiciary chairman. With respect to the law that the chairman just referred to, isn't the law silent in respect to a loan? My understanding of the law is that it doesn't make a comment one way or the other, so I'm not sure there has to be a statutory change."

At 12:25 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:30 o'clock p.m.

At this time, Senator Abercrombie rose and stated:

"Mr. President, as you no doubt noted from the podium, there has been a somewhat vigorous discussion taking place. I won't withdraw my question to the Judiciary chairman, so much as note that the question was asked, and make it a rhetorical question as part of my remarks and speak in favor then, of its passage.

"My reasons are as follows. I do have my reservations as to whether or not the Auditor should do it. It's not that I doubt the Auditor could do it, but I believe that the committee has ample resources, itself, to be able to do it. However, in deference to the fact that there is a substantial difference between the House and the Senate as to what to do with the program, both parties, I think, recognizing that to leave it as it is is unconscionable, actually, in one respect, and intolerable, from the budget point of view. To let it just ramble on would invite further expansion with no opportunity for other students in the state who might suffer under budget cuts and suffer possible tuition increases and all the rest of it, to have any surcease from that problem.

"It does bother me that the last part about feasibility in implementing a repayment program...at least, implies that there is some question as to whether that should be done at all. There may be some question on the part of the beneficiaries of this as to

whether they should do it. I assume that if somebody wanted to make sure that I was able to have, what in effect was a scholarship to be paid to a university on my behalf, which at the same time would guarantee my entrance into that university program, I too, would want to take everything I could get out of it, and be happy for it. I would hope that I would have sufficient character to feel that having had such an advantage, not only to what in effect is a scholarship, at the present time, not based on need, but also the guarantee of a place in a highly competitive graduate program, which is in certain respects almost more important than the first. It may be possible to scramble for funds in some fashion, but if you are not guaranteed a position in the school, in the first place, no matter how much money you have would do you no good. It's something like being very wealthy and not having good health. If you do not have good health and the money cannot buy the good health, what good is it to you?

"Well, in this instance, and this I think is not generally recognized by the public at large in some of the propaganda that's come out from some of the recipients, is that being placed in this program guarantees you a place in the graduate school. And those of us who have attended graduate school or have children or relatives who are desirous of attending graduate school know how difficult that process is and know what an occasion it is when one knows one's accepted. Therefore, it's vital to me and, I'm assured by the chairman that he will address this in his remarks in favor of the bill. It is vital to my support that it be clearly understood by the Auditor or whoever else is going to be involved in this study that we are not here in the process of inquiring as if this was virgin territory as to whether or not this program should continue. We all think it should continue, but that the basis for it at some point, and it has to be, I think, virtually immediately, perhaps as early as the next certification process.

"It has to be put on a pay-back basis. Otherwise, we will find the anomaly, especially over the next few years, if my understanding of the projections of a deficit are concerned, we will find ourselves in two years treating a certain class of people ...that is to say, those people who are able to get certified in WICHE ...in one way, in a way which is particularly, extraordinarily beneficial

to them, financially, and at the same time discriminating against the overwhelming majority of students in the state who must suffer the cost of living problems and all the rest of the things associated with getting their education, including paying back loans, including getting loans and financial aids where they will be required to pay back, upon, probably in some instances, if many things go through that I see in the offing now, graduation or being chased by one government body or another in order to see to it that they repay! And the reason for that is that these financial aids, and many of these loan funds need to be replenished in order to continue to give loans to those coming afterwards.

"It continues to be a source of no end of irritation to me that even after all the publicity surrounding this subject of WICHE and these guaranteed slots in professional schools with fees being paid to those schools by the taxpayers of this state that still, not a single student...not a single beneficiary of this program has come forward to say, 'Yes, I recognize the stupendous advantage that I'm getting and I'd like to, in some fashion, not just repay the state, but enable others to enjoy the same privilege that I had!' One would think that the people would be so happy to have this opportunity that their first thought after that sense of joy that they've been accepted would be, 'I hope that others can have the same opportunity I had.' Thank you."

Senator Holt then rose and stated:

"Mr. President, I rise to speak in favor of the resolution and to respond to some of the comments made earlier.

"I believe this is a good resolution. The Senate has not backed down to the House in any way. However, in view of the status of our bill in the House, this is the approach that we have to take right now.

"In response to Senator Kawasaki's comments about the subject matter committee having the resources available, or if some other agency's resource is available to conduct this study, it is the committee's intent to get as accurate a report from the Commission as possible and to come up with the kind of information that we want to have next year to make a thorough review of this program. We need to be provided with a lot of details.

"I think I'd like to inform Senator

Kawasaki, and I think, Senator Abercrombie, that it is our intent to do it most cost-efficiently. However, during the past few months, when we have been reviewing this WICHE program, your committee has experienced some difficulty in being provided information from the WICHE Commission and from the certifying people responsible, and without this information, it is very difficult for us to proceed. As such, we have taken this position that we'll have an independent body conduct the study.

"Just recently in the Wall Street Journal, Tuesday, April 12th, there is a nice article on WICHE. The title reads: 'Education Agreement in West Lets Colleges Specialize, Excel,' and you can read on, and I can provide all of you with a copy of this. It goes on and on talking about how great the program is and then, finally you read, 'Montana also extracts a promise from the veterinary students whose support is out of state, [that] upon graduation, the young animal doctors pledge to return home and practice for at least two years. Wyoming gets a five-year commitment from its subsidized veterinary students. Other state ask subsidized students to pay back some or all of the tuition aid.'

"This is the information we asked for and we did not receive. I had to read it in the Wall Street Journal! That is the reason why we are requesting the Legislative Auditor to do this study, and that is why I'm asking you for your support on this resolution. Thank you."

Senator Cayetano then rose and stated:

"Mr. President, I was going to support this resolution. The previous speaker just gave me good reason not to support it.

"Mr. President, the work called for in the 'BE IT RESOLVED' clause of this resolution is not beyond the resources of any subject matter committee of this body. I mean, some of the stuff we have done before, based on my past experience. For example, it says, 'BE IT FURTHER RESOLVED that the study and review include, but not be limited to, such areas as the past, present and future contribution of the Hawaii Program of the Western Interstate Commission on Higher Education to the state's higher education program, a comparative analysis of how the WICHE program is funded by each member state.' We've done that. The previous Higher

Education Committee has done that. They did it in '79 and in '80 and I think even after that, it was done. 'An assessment of the criteria used by the Hawaii WICHE student certification.' Now, that doesn't seem to be very difficult to get; and if the WICHE Commission doesn't want to give us the information, what makes you think the Legislative Auditor is going to have any more easier a time in getting the same information? It seems to me that if they don't want to give us the information, we shouldn't give them the money. It's as simple as that. We have the power of the purse and we should use it. If we don't know how to use the power of the purse then maybe we shouldn't be here.

"Take, for another example, 'An assessment of the employment opportunities in Hawaii for WICHE students whose support fees to other WICHE receiver schools are funded by the State.' I thought this was done. It was done in '79 and '80. The information is still available. It's a question of motivation, it seems to me. If the committee wants to do work in the interim, this is a good project.

"Mr. President, the Special Committee to investigate the heptachlor problem did the work in ten months and I believe it cost us \$15,000 in terms of staff. We worked day and night and we did the work, and I think it's a work of very high standard. This task in the 'BE IT RESOLVED' clause is really not much compared to that. I'm sure the Chair would grant the Senator a staff to do this work and the end result would be a work produce which would probably cost less than giving it to the Auditor's office."

Senator Holt then responded:

"Mr. President, I don't know if it's appropriate at this time, but if the Auditor can do the report for the same amount of money that the heptachlor study was done, I'd be happy with the results."

Senator Uwaine then rose and stated:

"Mr. President, I rise to speak in favor of this resolution. Just a few brief remarks in favor of the resolution concerning the fact that the Auditors will be doing this report.

"Mr. President, I have complete confidence in the staff of Senator Holt, as far as the Higher Education

Committee doing a very thorough and good job as far as investigating whether or not there should be a loan program.

"However, certain things are beyond the committee's control, and one of these is the attitude and cooperation of the House. And, as one of the previous speakers knows, a lot of times it's not so much the quality of the work, but the fact that there is this rivalry between the House and the Senate, between the subject matter committees, that there is this communication breakdown.

"So, I think having an independent body, such as the Auditors, to do this study brings some credibility back as far as the work that is the final product. And, I think in that light, the House will look at this Auditor's report and basically follow the recommendations set forth. Thank you."

Senator Kawasaki then rose and stated:

"Mr. President, perhaps there needs to be some clarification of my suggestion or my inquiries posed earlier. I did not ask that the subject matter committee look into this, although this is a possibility, and I think it can be done. But, I had suggested that these types of information that we're requesting in the Legislative Auditor's study be furnished to us by the staff, the administrators of this WICHE program; that is to say, the University of Hawaii. And, it just seems to me as a suggestion to the chairman of the Higher Education Committee, if the information requested by your committee regarding the WICHE program as specified in the resolution is not forthcoming, if I were the Higher Education chairman, I'd just call the Chairman of the Board of Regents or the President of the University of Hawaii and hold him accountable to make sure that the staff people administering this program would provide me with the information. I think it's just that simple.

"So, I still feel that the Legislative Auditor's office is not required to do this study. This is not something really abstruse or esoteric. It could be done, I think, within a reasonable time, with reasonable effort. Perhaps, maybe in fairness to the other point of view that the Auditor's office should do it, may I solicit an answer from the chairman of the Higher Education Committee relative to...did the chairman, perhaps, look into the

possibility of our funding the cost of the Auditors office doing this...the funding to be derived partly from the allocation made to this WICHE program, as I said for the next biennium, some \$2,326,000. Could a portion of that be allocated to the Legislative Auditor's office so we don't have to tap the legislative expenses' \$150,000 to conduct this study? Could a portion of the WICHE funding be allocated...whatever it's going to cost to do this study...to the Auditor's office? Could I have an answer to this question, please."

Senator Holt then responded:

"Mr. President, the funding for the WICHE program still hasn't been decided. We have yet to go into conference. Your suggestion will be taken into consideration."

Senator Kawasaki then continued:

"I know it hasn't been decided yet. As I recall, some \$926,000 is to be allocated in the Senate version of the budget for the WICHE program, if I am not mistaken. Senator Yamasaki could correct me. But, perhaps that's a question worth pursuing and I'd suggest that."

Senator Henderson then rose and expressed his concerns stating:

"Mr. President, I was going to vote for this resolution, but I've have some grave reservations and I wonder if the chairman of the Committee would yield to a question?"

The question was posed and Senator Holt having answered in the affirmative, Senator Henderson continued:

"My understanding was that this was going to be done in-house by the Legislative Auditor. Is that correct?"

Senator Holt replied:

"If the House approves and agrees to the resolution, yes."

Senator Henderson continued:

"This is the senate concurrent resolution?"

Senator Holt replied in the affirmative and Senator Henderson continued:

"Is there not a companion resolution?"

Senator Holt then replied:

"Yes, there is."

Senator Henderson then queried:

"Which one do we have under consideration now?"

The President then interjected:

"We have both under consideration, Senator Henderson, because they both deal with the same subject matter."

Senator Henderson then stated:

"Okay, if only the senate resolution is adopted, what would your response be then?"

Senator Holt then replied:

"I'm not sure what your question is. Do you mean if it's adopted by this body today?"

Senator Henderson then stated:

"Yes. What if we only pass the senate resolution asking the Legislative Auditor to do the study?"

Senator Uwaine then rose and stated:

"Mr. President, may I answer that question?"

The President replied:

"No, Senator Uwaine. I think the answer would be in-house, Senator Henderson. It would be a senate resolution."

Senator Henderson then continued:

"It would be an in-house study by the Legislative Auditor?"

The President then replied:

"Well, we could request it; I'm not sure exactly...."

Senator Henderson then interjected:

"Exactly what is the procedure, Mr. President?"

The President then replied:

"I think the procedure is, when you request a study by the Auditor, it requires the joint approval of the Speaker of the House and the President of the Senate to authorize that particular study. This resolution, which is a senate resolution, deals with the same subject matter as the senate concurrent resolution. If the concurrent resolution passes, then I

think that a formal request by both houses to do the study would be in order."

Senator Henderson then stated:

"Yes, my understanding from the chairman's remarks was that the House was giving us problems with this particular...."

The President then interjected:

"We have a problem with the original bill that makes it a loan. It involves a statutory change."

Senator Henderson then replied:

"If they have a problem with this, what is the alternative plan of the chairman of the committee?"

Senator Holt then stated:

"We still have to work on the WICHE budget in conference and until we find out what the House is going to do with the resolution, the Ways and Means Committee will be looking very carefully at the WICHE budget."

Senator Henderson then continued:

"So, does that mean that there might be a move to withhold the funding of the WICHE funds? Are they going to hold that hostage for this resolution?"

Senator Holt then replied:

"We're not holding anything hostage, Senator Henderson."

Senator Henderson then stated:

"Mr. President, may I ask the chairman another question? Have you asked the President of the University to help you get the information you need for your committee?"

Senator Holt responded in the affirmative and Senator Henderson continued:

"What was his response?"

Senator Holt then replied:

"Some of the information we have requested, the commissioners cannot answer, or cannot provide."

Senator Henderson then queried:

"What, for example, Mr. President, might be the information that was requested?"

Senator Holt responded:

"Specifically, some of the information that I provided earlier in terms of what other states are doing, how they are funding their programs, and so forth."

Senator Henderson then stated:

"Mr. President, has the chairman bothered writing to the other states to ask them what they are doing?"

Senator Holt replied in the negative and Senator Henderson continued:

"Well, Mr. President, I would suggest that before we start spending the taxpayer's money here, that the chairman and his members do their job. I think it's premature for us to pass resolutions without thorough work by the committee first. I'm going to vote 'no.' Thank you."

Senator Abercrombie then rose and stated:

"Mr. President, inasmuch as there has now been at least two mentions of the work of other committees, and I was the chairman of that at one time, I find myself in a very difficult position because the remarks made are true. And some of the answers that are now forthcoming leave me in a bit of a quandry. I think I must request that you defer this matter one day, unless it is the desire to move along at this state because it's very difficult for me to continue my support for this resolution under the present circumstances with the kind of information that now comes on to the floor.

"To do so, in essence, makes some of the work that has been accomplished seem as if it had never been done and it has been done. And the sources of the information are readily available. It creates a dilemma when one wants to support the idea involved here, but at the same time, then, especially with the responses to the questions just asked by the previous speaker, it undermines the process. It is available to us.

"So, perhaps someone else can enlighten me further as to what should be done before we take a vote. I would appreciate that. Otherwise, I'm going to find it very difficult not to withdraw my assent because I feel that it would reflect unfavorably on the work that's already been done and on the work that I know could be done under the circumstances outlined by the two

previous speakers."

At 12:50 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:55 o'clock p.m.

Senator Abercrombie then rose and stated:

"Mr. President, I'm not entirely sure of the order, relative to who had the microphone at the time. I believe I did at the time of the recess, and I would like to yield to the chairman of the Higher Education Committee."

Senator Holt then rose and stated:

"Thank you, Senator Abercrombie. I think there may be some misunderstanding here on the floor in terms of what is happening right now with this resolution, in reference to the questions asked by Senator Henderson.

"If the senate concurrent resolution is not adopted by the House, then we have the senate resolution to work with and if the Auditor decides at that time, that he does not want to conduct the study on WICHE, then the committee will have to do it. I think that's what we were getting into, and that's the answer that I wanted to share with you."

Senator Kawasaki then rose and stated:

"Mr. President, if the senate resolution passes, then the Auditor, however, will not be able to conduct the study because the Rules here provide that concurrence of both the Speaker of the House and the President of the Senate is required, so the senate resolution passing of itself, will not guarantee or not even enable the Auditor's office to conduct this study.

"Now, might I suggest, perhaps, that if the senate resolution does pass, and if the President of the Senate and the leadership of the Senate so agrees that perhaps an allocation for funding be granted out of the Senate legislative expenses budget. We did this, as you recall, with the Kohala Task Force study. The House did not, for good reasons...not good reasons...bad reasons...did not want to join us in the Senate to conduct the Kohala Task Force study, then I prevailed upon the leadership of the Senate at that time, to allocate \$10,000 primarily to

pay for a CPA to start auditing the Kohala Task Force projects. We did that; we came up with a good report. I think it resulted in the state saving a heck of a lot of money...millions of dollars...so we might go via that route.

"Also, I think, a precedent was set again, when Senator Cayetano conducted his heptachlor study without House concurrence. Many times, as I've always said, progress seems to take place in this body here. Senator Cayetano conducted that heptachlor study purely out of Senate funds. If the leadership sees fit to do that, spend a few thousand dollars to conduct this study, we could also take that route."

Senator Cayetano then stated:

"Mr. President, as you know, it wasn't a few thousand dollars. As we all know, most of that money went to pay for transcripts and it was done with a staff assigned to the Majority Research and also my committee.

"I think, Mr. President, the point that I'm trying to make, is that I really don't see why this information is not available, and I think that we have the tools in terms of the budget to bring on pressure that should make this information available to the committee and the task is, I think comparatively simple in comparison to the other kinds of tasks that we've given to the Auditor's office. Let's not waste the Auditor's time on that and get them to try and reinvent the wheel. That has already been done."

Senator Yamasaki then stated:

"Mr. President, I just wanted to clear a question that was raised by Senator Kawasaki as to whether we could provide some appropriation out of the WICHE program appropriation in the budget. We have a prior ruling from the Attorney General that executive budget funds cannot be used by the Legislative Reference Bureau or the Legislative Auditor to conduct any kind of study."

Senator Uwaine then rose and stated:

"Mr. President, just a point of clarification. There's seems to be some question as far as if the Auditors can do a study if just one House passes a resolution. The answer to the question is, yes, they can. Basically, right now, the way the Auditor conducts studies is that they go by priority; first they con-

sider concurrent resolutions, then resolutions.

"As some of you well know, there are some times when as late as now, on the 54th Day, we pass over concurrent resolutions. The other subject matter committee in the other house doesn't have sufficient time for consideration of a public hearing. It doesn't mean that that body does not favor the passage of that resolution. In that event, both the Speaker and the President, together, with the subject matter committees concurring, and the rest of the body input, can write and direct a letter to the Auditors, asking them to conduct a study based on the passage of just one house's resolution."

Senator Henderson then rose and stated:

"Mr. President, just to clarify the situation. In all cases, it takes the concurrence of the Speaker and the President. Is that not correct?"

The President answered in the affirmative and Senator Henderson concluded his remarks stating:

"Thank you, Mr. President."

The President then stated:

"The Chair would just like to make an overall observation. I wish we can find the money somewhere else, instead of using Senate funds."

Senator Abercrombie then stated:

"Mr. President, I'm sure you would agree that discussion back and forth like this is useful because it does in fact, illuminate the situation and that's the object here, in the end.

"Am I correct then, in my understanding that there is a commitment by this body, if these resolutions pass, that regardless of what the effect would be logistically after they pass, that this body is committed to examining this situation and coming up with a report on it and a recommendation on it clearly articulated, a clear stance taken one way or another, that, will be forthcoming. Would that be a fair assumption?"

The President then responded:

"Senator Abercrombie, if you are addressing that to the Chair, I think we would have to wait until the outcome of the fate of the resolutions and then act accordingly. I do not want to commit the Senate to a fixed

answer at this particular juncture."

Senator Abercrombie then replied:

"Perhaps I haven't stated myself clear enough. My understanding of the chairman of the committee's remarks is that he intends to come forward with a recommendation such as I've outlined regardless of what happens and will take such steps as are necessary to do just that. Is that a fair assessment of the chairman's remarks?"

The President answered in the affirmative and Senator Abercrombie concluded his remarks stating:

"Thank you, Mr. President."

The motion was put by the Chair and carried and Stand. Com. Rep. No. 883 was adopted and S.C.R. No. 92, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A COMPREHENSIVE STUDY OF THE HAWAII PROGRAM OF THE WESTERN INTERSTATE COMMISSION ON HIGHER EDUCATION," was adopted.

Standing Committee Report No. 895 (S.R. No. 110):

On motion by Senator Holt, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 895 was

adopted and S.R. No. 110, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A COMPREHENSIVE STUDY OF THE HAWAII PROGRAM OF THE WESTERN INTERSTATE COMMISSION ON HIGHER EDUCATION," was adopted.

RE-REFERRAL OF SENATE RESOLUTIONS

The President made the following re-referral of resolutions that were offered on April 12, 1983:

Senate

Resolution Referred to:

No. 125 Committee on Consumer Protection and Commerce.

No. 126 Committee on Youth and Elderly Affairs.

At 1:27 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:29 o'clock p.m.

ADJOURNMENT

At 1:35 o'clock p.m., on motion by Senator Kuroda, seconded by Senator Henderson and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, April 15, 1983.

FIFTY-FIFTH DAY

Friday, April 15, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend John Ward, Associate Director of Vocations, Catholic Diocese of Honolulu, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-Fourth Day.

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:46 o'clock a.m.

The following introductions were then made to the members of the Senate:

Senator Carpenter introduced the following and stated:

"Mr. President, it gives me great pleasure this morning to offer a certificate of appreciation to Mrs. Anita Kong Moepono. The certificate essentially extends congratulations to Mrs. Moepono on the occasion of her selection as 'Mother of the Year for Hawaii in 1983'; obviously, a very active young lady in teaching, as a church leader, social worker, probation counselor, and executive director of the Alumni Association of the University of Hawaii.

"We want to, by way of this certificate, extend our best wishes and support to her as she goes to New York to the Annual Mothers State and National Conference where she will vie for the honor of National Mother of the Year for 1983.

"At this time, I'd like to introduce Mrs. Anita Kong Moepono who is seated next to the rostrum, accompanied by her husband, Mr. Moses Moki Moepono, and Mrs. Lucy Abreu who was the 1981 Mother of the Year and who is presently the chairman of the Mother of the Year Committee.

"Mr. President, in addition to Mrs. Moepono receiving this honor today and certainly for the year 1983, I must recognize that she is one of

your constituents, and I'd also like to point out to members of the staff that Mrs. Moepono's daughter Sesnita Brundage has been with the Senate Majority for quite a number of years, assigned to my office as researcher, analyst, administrative assistant and as an attorney without portfolio."

Senator Carpenter requested for a short recess at which time Senator Young will present a lei to Mrs. Moepono and Senator Carpenter the Senate Certificate of Recognition.

Senator Kawasaki added his remarks as follows:

"Mr. President, it's been my pleasure, years ago, to have served, believe it or not, as a director of HGEA along with Mrs. Moepono. These were the years when the HGEA was very progressive, with a very competent and able executive director, Charles Kendall, after whom the building is named. It's been my pleasure to have served with Mrs. Moepono, knowing how she serves the public very competently.

"It is my pleasure to add my good wishes to Mrs. Moepono."

Senator Kawasaki then introduced 27 sixth grade students of Punahou School and their teacher Mrs. Ruth Ann Cossarak.

Senator Kawasaki added: "Mr. President, by way of information, since the subject of the utilization of computers in our public school system is being discussed both in the conference committee and the Ways and Means as well, it just might be of interest to know that these sixth graders, upon inquiry this morning on my part, are familiar with the use of computers. As a matter of fact, I asked them whether they were able to program with the use of computers and they said that they could, which is to say Punahou School, which is not my alumni school incidentally, is quite progressive in the use of computers. Perhaps the public school system, finances permitting, would emulate Punahou School in this direction."

Senator Abercrombie then made the following introduction:

"Mr. President, because the University of Hawaii will have an alumnus after this year who will be

leaving these shores for a short while, I want to introduce him to the body.

"Most of you know him already but you may not know that my aide, John Swissler, has just received a \$5500 fellowship from the University of Virginia to the Corcoran Department of History to study U.S.-Soviet Relations. I would like this young man to stand up and take a bow.

"John is somebody who has really made a fine accomplishment, coming from the University of Hawaii. I think that's a real credit to our people up at the History Department, especially in the area of Russian language and Soviet history at the University of Hawaii.

"Often, we don't recognize how important these particular kinds of studies are and I'm very, very proud of John and I think this chamber and, of course, those who have worked with him and the whole state can be happy that we have the kind of scholarship going on here as represented by his accomplishment."

Senator Holt then introduced a group of members of the Lanakila Ward Relief Society, which is a women's organization of the Church of Jesus Christ of Latter Day Saints, and their activity leader, Helen Davis.

At 11:54 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:59 o'clock a.m.

At this time, Senator B. Kobayashi introduced the following:

"Mr. President, on behalf of this honorable body, I'd like to introduce some individuals who are related to the March of Dimes Birth Defects Foundation.

"The March of Dimes Birth Defects Foundation is, of course, dedicated to the notion that every child deserves a healthy start in life, and to accomplish this goal it conducts a number of events yearly, one of which is 'Walk America.'

"Walk America is this year, Saturday, April 23, hopefully, one day after we adjourn.

"Today, in our gallery, we have several individuals connected with this event. First of all, I'd like to

introduce the honorary chairmen of Walk America 1983, a top entertainment group in the State of Hawaii, 'The Fabulous Krush.' For those of you who want to see their show, they are starting a new show at the Outrigger Hotel on Monday night with a guy named Andy Bumatai. It might be a good fun event.

"Also in the gallery is the representative of Mr. Joe Peletier, president of Pacific Resources. Mr. Peletier is the chairman of the Team Walk for Walk America 1983 and is represented today by Andrea Simpson.

"Another individual, very long connected with the March of Dimes and sitting on the National Board of the March of Dimes Birth Defects Foundation, is Mr. John Henry Felix, chairman of the Golden Kilometer. The Golden Kilometer is a sub-event under Walk America where people have the privilege of paying more but walking less.

"Also, to be with us but, I believe, not around, is the March of Dimes Poster Child for 1983, Andrew Mizumoto. He is not with us today but, hopefully, he will be around next time."

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 561 to 571)

A communication from the House (Hse. Com. No. 561) transmitting House Concurrent Resolution No. 57, which was adopted by the House of Representatives on April 14, 1983, was read by the Clerk and was placed on file.

By unanimous consent, H.C.R. No. 57, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COMMERCIAL AND CABLE NETWORKS TO INCLUDE HAWAII IN THEIR DAILY NATIONAL WEATHER REPORTS," was referred to the Committee on Tourism.

A communication from the House (Hse. Com. No. 562) transmitting House Concurrent Resolution No. 200, which was adopted by the House of Representatives on April 14, 1983, was read by the Clerk and was placed on file.

Senator Cobb moved that H.C.R. No. 200 be adopted, seconded by Senator Soares.

Senator Kawasaki, in support of the resolution, stated:

"Mr. President, I'm urging the unanimous approval of this particular resolution.

"I've had the pleasure of knowing Phil Burton for many years as a very progressive liberal from California, and it's just sad that we have lost the services of this man to this country."

The motion was put by the Chair and carried, and H.C.R. No. 200, entitled: "HOUSE CONCURRENT RESOLUTION HONORING THE MEMORY OF UNITED STATES CONGRESSMAN PHILLIP BURTON AND EXTENDING CONDOLENCES TO HIS FAMILY," was adopted.

A communication from the House (Hse. Com. No. 563), informing the Senate that the House on April 14, 1983 has reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 1304, H.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 564), informing the Senate that the House on April 14, 1983 has reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 1580, H.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 565), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 362, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 14, 1983, the Speaker appointed Representatives Say and Stanley, Co-Chairman, Andrews, Kawakami, Kiyabu-Saballa, Matsuura and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 566), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 418, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 14, 1983, the Speaker appointed Representatives Taniguchi and Kiyabu, Co-Chairman, Hayes, Kawakami, Yoshimura and Anderson as Managers on the part of the House for the consideration of said

amendments, was placed on file.

A communication from the House (Hse. Com. No. 567), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 656, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 14, 1983, the Speaker appointed Representatives Say and Matsuura, Co-Chairman, Hashimoto, Kawakami, Souki and Dang as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 568), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 756, and the request for a conference on the subject matter of said amendments, on April 14, 1983, the Speaker appointed Representatives Say, Chairman, Hashimoto, Kiyabu-Saballa, Okamura, Takamine and Dang as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 569), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 907, and the request for a conference on the subject matter of said amendments, on April 14, 1983, the Speaker appointed Representatives Say and Andrews, Co-Chairman, Hee, Kawakami, Morgado, Souki and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 570), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1105, and the request for a conference on the subject matter of said amendments, on April 14, 1983, the Speaker appointed Representatives Taniguchi, Chairman, Albano, Hayes, Lardizabal and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 571), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1247, S.D. 1, and the

request for a conference on the subject matter of said amendments, on April 14, 1983, the Speaker appointed Representatives Taniguchi and Shito, Co-Chairman, Honda, Kim and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 897) informing the Senate that Standing Committee Report Nos. 898 to 922 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 898) recommending that House Bill No. 166, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 166, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 18, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 899) recommending that House Bill No. 277, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 277, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 18, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 900) recommending that House Bill No. 288, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb,

seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 288, entitled: "A BILL FOR AN ACT RELATING TO CHIROPRACTIC," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 18, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 901) recommending that House Bill No. 1201, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1201, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 18, 1983.

Senator Uwayne, for the majority of the Committee on Transportation, presented a report (Stand. Com. Rep. No. 902) recommending that House Bill No. 601, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 902 and H.B. No. 601, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE EQUIPMENT," was deferred until Monday, April 18, 1983.

Senator Uwayne, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 903) recommending that House Bill No. 334, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 903 and H.B. No. 334, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING," was deferred until Monday, April 18, 1983.

Senator Hagino, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 904), recommending that Senate Concurrent Resolution No. 17, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.C.R. No. 17, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE CONTINUED GROWTH OF THE BEE INDUSTRY IN HAWAII AND REQUESTING THE LEASING OF PUBLIC LAND FOR BEEKEEPING

PURPOSES," was adopted.

Senator Hagino the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 905) recommending that House Bill No. 44, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 44, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PLANNING AND DEVELOPMENT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 18, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 906) recommending that the Senate advise and consent to the nomination of Jensen S.L. Hee as Director of Finance, in accordance with Governor's Message No. 250.

By unanimous consent, action on Stand. Com. Rep. No. 906 and Gov. Msg. No. 250 was deferred until Monday, April 18, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 907) recommending that the Senate advise and consent to the nomination of George Freitas as Director of Taxation, in accordance with Governor's Message No. 251.

By unanimous consent, action on Stand. Com. Rep. No. 907 and Gov. Msg. No. 251 was deferred until Monday, April 18, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 908) recommending that the Senate advise and consent to the nomination of Hideo Murakami as Comptroller, in accordance with Governor's Message No. 252.

By unanimous consent, action on Stand. Com. Rep. No. 908 and Gov. Msg. No. 252 was deferred until Monday, April 18, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 909) recommending that House Bill No. 328, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 328, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 18, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 910) recommending that House Bill No. 546, H.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 546, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT OF PATIENTS AT FACILITIES FOR THE TREATMENT OF PERSONS SUFFERING FROM HANSEN'S DISEASE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 18, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 911) recommending that House Bill No. 594, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 911 and H.B. No. 594, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES RETIREMENT SYSTEM," was deferred until Monday, April 18, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 912) recommending that House Bill No. 330, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 912 and H.B. No. 330, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," was deferred until Monday, April 18, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 913) recommending that House Bill No. 242, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 242, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF CREDIT

CARDS FOR HOSPITAL CHARGES," passed Second Reading and was placed on the calendar for Third Reading Monday, April 18, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 914) recommending that House Bill No. 1285, H.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1285, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PLACEMENT OF A SCULPTURE AT THE KAUAI STATE OFFICE BUILDING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 18, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 915) recommending that House Bill No. 882, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 882, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 18, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 916) recommending that House Bill No. 244, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 244, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 4, 1983.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 917) recommending that House Bill No. 1262, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 917 and H.B. No. 1262, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL

PURPOSE REVENUE BONDS FOR CONSTRUCTION OF AN ETHANOL PLANT," was deferred until Monday, April 18, 1983.

Senator Young, for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 918) recommending that the Senate advise and consent to the nomination of Georgiana Padeken as Chairperson, Hawaiian Homes Commission, in accordance with Governor's Message No. 231.

By unanimous consent, action on Stand. Com. Rep. No. 918 and Gov. Msg. No. 231 was deferred until Monday, April 18, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 919) recommending that House Bill No. 251, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 251, H.D.1, entitled: "A BILL FOR AN ACT RELATING TO WILD BIRD, GAME BIRD, AND GAME MAMMAL PERMITS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 18, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 920) recommending that House Bill No. 837, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 837, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC LIFE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 18, 1983.

Senator Chang for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 921) recommending that S.R. No. 42, S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 42, S.D. 1, entitled: "SENATE RESOLUTION

RELATING TO THE ESTABLISHMENT OF ENVIRONMENTAL AND RECREATIONAL SAFEGUARDS REGULATING STATE-LICENSED MARICULTURAL OPERATIONS AND OCEAN LEASING IN THE SEA WATERS OF THE STATE," was adopted.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 922) recommending that S.C.R. No. 36, S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 36, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONCURRING WITH THE AMENDMENT OF EXECUTIVE ORDER NO. 1446 COVERING THE WAIKIKI WAR MEMORIAL PARK AND NATATORIUM," was adopted.

At 12:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:07 o'clock p.m.

ORDER OF THE DAY

THIRD READING

MATTER DEFERRED
FROM APRIL 8, 1983

House Bill No. 1531, H.D. 1:

By unanimous consent, action on H.B. No. 1531, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE," was deferred until Wednesday, April 20, 1983.

At this time, Senator Toguchi, inquired as follows:

"Mr. President, with regard to the deferral, would the chairman of the Consumer Protection Committee yield to a question? I'd like to ask what is the status of the resolution?"

The President asked the chairman if he would yield to the inquiry and Senator Cobb answered in the affirmative and stated: "Mr. President, there are two resolutions involved, one from the House coming over as a concurrent resolution and one from the Senate as a concurrent resolution going over.

"The Senate concurrent resolution

is in the Majority Attorneys' office for final legal check prior to circulation. The House resolution, as I understand, was referred to the House Finance Committee. The chairman of the House committee has asked for expeditious movement of that resolution over so that we can do an exchange and adopt each other's resolution, concurrent with the passage of the bill."

Senator Toguchi acknowledged the reply with thanks.

Senator Carpenter then asked: "Mr. President, a follow-up question. What resolution? We had a number of resolutions to that subject matter. Which ones would that be?"

Senator Cobb answered: "Mr. President, the resolutions that we agreed upon and recommended by the committee were the two introduced by yourself. One a concurrent and one a Senate resolution on the subject of workmen's compensation. I don't happen to have the numbers with me; however we can get that information, if it's needed."

FINAL READING

MATTER DEFERRED
FROM APRIL 13, 1983

Senate Bill No. 42, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 42, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELEVATOR MECHANICS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (George and Uwaine).

MATTER DEFERRED
FROM APRIL 14, 1983

Senate Bill No. 640, S.D. 1, H.D. 1:

Senator Cobb moved that S.B. No. 640, S.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

Senator Cayetano then rose to inquire and stated: "Mr. President, this bill was deferred from a previous day and at that time, I believe the chairman of the Committee on Consumer Protection was going to check on some concerns that I had raised. I wonder if he has checked on them and if he has the answers to

the questions that I raised at that time?"

Senator Cobb answered: "Yes, Mr. President, the question was relating to the word 'suretyship' that appeared in the bill and I did some checking with both the Majority Attorneys as well as the House.

"A correction to the earlier statement was that the change involving the word 'suretyship' was not made in the House. It came out of the Senate bill in its form that it passed from the Senate to the House.

"The inclusion of the word 'suretyship' is intended to have the ten-year statute of limitations proposed by this bill apply to any surety who may have entered into a surety contract with persons covered by the statute of limitations.

"For example, a contractor normally has a performance bond to insure proper performance of a construction contract. Under this bill the contractor would be immune from suit after a period of ten years from the date of completion of the improvement. The inclusion of the word 'suretyship' is intended to make it clear that the limitation of the surety under the performance bond is co-extensive with the liability of the contractor and does not extend beyond the ten-year period. In short, a person would be precluded from suing the surety as well as the contractor.

"Specific mention of the word 'suretyship' is necessary because in a California case which construed a statute similar to Hawaii's except that the sureties were not specifically mentioned as covered by the statute of limitations, the court held that the surety could be sued even though the contractor could not be sued because of the running of the statute of limitations.

"The intent, as stated above, is to prevent the suing of a surety if the principal is protected by the statute to insure the surety to have a coterminous time limit. In addition, Mr. President, there was a 1980 amendment to the law which included sureties within the protection of the statute of limitations.

"I would like to quote from the Judiciary Committee's standing committee report of 1980 which was adopted in the form of House Bill 2674-80: 'Your Committee received testimony that the assumption that

sureties are protected along with other parties having an interest to the improvement of real property is incorrect. In a recent case involving a similarly worded statute, the California Supreme Court in the Regents of University of California v. Hartford Accident and Indemnity Company, citation: 21 Cal 3rd 624 of 1978, ruled that sureties were not protected under the provisions of such law. Your Committee finds that it is therefore essential that protection against liability afforded to sureties under the statute of limitations be made clear and specific.'

"Quoting further, Mr. President, from a subsequent committee report on the same bill is a statement: 'The purpose of this bill is to include the surety of both landowner and contractor as one of the parties with respect to which the statute of limitations set out in Section 657-8, Hawaii Revised Statutes, apply.'

"Section 657-8 presently forecloses actions against owners, contractors and others involved in the construction of an improvement for damage to personal property filed more than six years after completion of the improvement. This bill closes a possible back-door action against the surety for any such person."

Senator Cayetano then responded as follows:

"Thank you.

"Mr. President, if that is the purpose of the inclusion of the word 'suretyship' in the bill, then let me direct the attention of my colleagues to page 2, line 3 and let me read what the bill says because if that is the purpose, unfortunately the placement of the word 'suretyship' on that particular line does not accomplish it. Let me illustrate what I mean.

"It says, 'No action to recover damages for any injury to property, real or personal, arising out of any deficiency or neglect in the planning, design, suretyship, manufacturing and supplying of materials, construction, supervision and administering of construction, and observation of construction relating to an improvement to real property shall be commenced more than two years ...'

"If the members will look at the word 'planning,' the word 'design,' the word 'manufacturing,' the words

'supplying of materials,' the word 'construction,' the words 'supervision and administering of construction, and observation of construction,' all of those words relate to the building of a project. The word 'suretyship,' Mr. President, is misplaced.

"As I read the bill, it says that if there is a deficiency in the suretyship or there is negligence in the suretyship -- not in the building, not in the construction -- in the suretyship, then the ten years statute of limitation does not apply. You're really talking about apples and oranges. The English construction of this amendment is defective.

"If it was the purpose of this bill to give the surety some immunity from suit as the bill proposes to give to the architects, the designers, and the contractors, then there should have been a separate line. The word 'suretyship' is really out of place.

"I would like to ask the chairman to respond to see whether he agrees with me that it is misplaced."

Senator Cobb answered: "Mr. President, I do not agree that it is misplaced. I would agree that the bill is somewhat 'inartfully' worded because of the prior interpretation, but I think the debate and remarks on the floor of the Senate today would make the legislative intent very clear for any court that would care to look at the record."

Senator Cayetano continued: "Mr. President, as a matter of construction, the court looks to the bill on its face and clearly the words 'deficiency or neglect' in the suretyship ... what is the suretyship?"

"It is the bonding, not the building, not the construction, not the supplying of materials. It is the bonding. The preparation of the bond. Is there a deficiency in the bond? Then it's covered here. Is there negligence in preparing the bond? The it's covered here. This is totally misplaced. That's the point I'm trying to make.

"Now, apparently, there is a difference in opinion. My prediction is that the bill will be struck down because of that defect. I think it's pretty clear. But, even then, I think we should then ask ourselves this other question. As a matter of policy, should such immunity be given to the surety? The architect, when he accepts a fee, is to build the

building or to build the project. The surety or the suretyship, when he accepts a fee, it is to provide the bond or to guarantee that the work is done correctly. The word 'suretyship' was included simply because the California Supreme Court ruled in the case that sureties were not included in the California law. And, clearly, the California legislature did not include sureties because my feeling is that they understood that bonding companies or insurance companies are there to guarantee losses. Suretyship should not be here for those two reasons.

"Now, I'm hopeful that the chair would maybe defer this bill one more day to take a look at it. Okay, he's shaking his head, he won't.

"Is it the chairman's contention that the words 'deficiency or neglect in suretyship' goes to the construction of the project? Is that the chairman's contention? Because then, perhaps, I don't understand the English language."

Senator Cobb, in response, stated: "Mr. President, referring back to the bill that was in question that was amended to address the initial suretyship problem, H.B. 2674-80, which originally flagged out this particular issue of suretyship, the previous speaker in 1980 voted for that bill.

"The interpretation of the word 'suretyship' in this connection here goes to the deficiency of any surety that would take place not necessarily to the construction. I think the amendment in 1980 flagged this out and all we're doing is including the suretyship in the extended ten-year statute of limitations as proposed by the House, contrasted with the present six-year statute of limitations."

Senator Cayetano then added: "Mr. President, a lot has transpired since the 1980 amendment. First of all, I'm not certain that this was the construction of the law. I think it was probably worded in a way that clearly set out the suretyship aspect.

"This law has been declared unconstitutional two times by the Hawaii Supreme Court. Let me quote from the Supreme Court's opinion which recently came down, June 29, 1982, and this is the Shibuya case.

"The court says: 'We are troubled hereto, especially by the wider immunity legislated as a consequence

of our initial visitation of the statute.'

"The court, then referring to a previous case in which they declared this law unconstitutional, '...and by the injustice of barring a suit before the plaintiff "could reasonably have been aware that he had a claim." That has been the court's contention.

"Now, all we're doing here is just expanding the scope of people involved and we still have not addressed the court's concern. But if I heard correctly, if the chairman is saying that the words 'deficiency or neglect' go to the suretyship itself, then suretyship does not include construction; it's bonding. Construction is the planning, the design, the supplying of materials.

"The word 'suretyship' in this amendment, as worded here, in my view, Mr. President, is defective. I don't know how else I can make the point except in that manner."

Senator Cobb further remarked: "Mr. President, earlier, the previous speaker alluded to the court's looking at the face of the bill. I've had occasion to compare the Hawaii courts with courts in other states relative to what they look at in terms of interpreting legislative actions.

"The State of Nevada has a strange law called 'The Four Corners Law' which limits their courts to looking only at the four corners of the pages of the bill and nothing else, and they are barred from looking at the committee reports; they are barred from looking at the committee hearings, the testimony, or the debate, and expression of legislative intent when the matter passes final reading of the legislature.

"Hawaii is quite the opposite in that, and the courts have shown a tendency to look at committee reports, floor discussions, and other elements relating to the bill to make a determination of legislative intent. I think that's a good practice on the part of the Hawaii courts and I think it would be applicable here, if this matter ever did go to litigation.

"As to the point of an individual not being notified, I think that with the amount of debate that has taken place on this bill, many more people are aware of the pending change to a ten-year period and I would add that the ten-year period, recommended by the House, which I am recommending the Senate agree to, will make it

easier in terms of calculating the time period."

Senator Cayetano then responded: "Mr. President, the chairman, I think, misinterprets my remarks.

"First of all, the Hawaii courts do follow the legislative intent, and in the Shibuya case the standing committee reports are extensively quoted by the court to determine what the legislative intent is. But, if the chairman says or admits or concedes here today that 'deficiency and neglect' is in the suretyship, then I think that shows that this law is defective, because if you have a deficiency in a suretyship that would probably be an action which sounds in contract.

"What you're looking for here, Mr. President, is a tort action sounding in negligence. I think there are problems with this bill, in my view. I wish you'd hold it back. I don't think anybody's going to die if this bill doesn't pass. Address it next year."

Senator Carpenter added his comments as follows:

"Mr. President, I must agree with Senator Cayetano that the word 'suretyship' is indeed misplaced because it really goes to suretyship coming forth to take up an action to guarantee the consumer of the product in the event of a default on the part of either the manufacturer, supplier of materials, etc.

"I'm wondering if there have not been cases in the past, state projects even, where default by any one of the individuals, either in the architects' planning, design, or construction, that have approached this ten-year period that we now speak to as being the statute of limitations for an action on behalf of the plaintiff or the consumer.

"Even if, as the chairman of the committee pointed out, under the statute passed in 1980, even if that is not covered by the Supreme Court's denunciation in 1982, on the assumption that this language really does go to a good suretyship, what it essentially says is at the end of the ten-year period that if a project is not complete, that if there has been some default prior to that, there will be no chance for the individual or the plaintiff, who either owns a house that has maybe not been resolved in terms of the guarantees that were supposed to be in place by the

surety, in this case, they are essentially excused and the individual or group that might have put together a project will essentially have no recourse but to absorb the loss and the cost themselves.

"In this case, I would think that this would not be beneficial to the consumer, and I would guess from what I have seen in some projects, particularly Hawaiian Homes projects on the Big Island of Hawaii, that there have been continuing disputes on default of contracts, either initiated by the individuals or by Hawaiian Homes themselves where many questions have arisen and the defaulting and the bonding of the surety has not been carried out to the full satisfaction of the consumer. In this case, the consumer would be denied completely any recourse but to absorb whatever losses or costs of a particular project that was unsatisfactory at that tenth year.

"Thank you."

At 12:26 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:33 o'clock p.m.

At this time, Senator Abercrombie then inquired: "Mr. President, after the recess and discussion, are we going to go on with the vote?"

The Chair answered: "Yes, that is my understanding."

Senator Cobb then added: "Mr. President, I recognize that there's a difference in opinion and interpretation on the matter. I think, however, it is of sufficient importance to address it for consideration by the Governor and there is obviously going to be a further legal check on it by the Attorney General's office prior to making a recommendation to the Governor whether or not the matter should be passed or vetoed.

"Unfortunately, since we are past the time by more than one week when we could disagree or put further amendments on the matter, it would be either having the Attorney General take a look at it before making a recommendation to the Governor or taking it up next year."

Senator Cayetano responded: "Mr. President, I find that very unfortunate because attorneys don't have a corner on logic but all the

ones that I spoke to here on the floor today seem to indicate to me (your Judiciary chairman is smiling) that there is a major defect in this bill. I raise these questions in good faith. I didn't raise them because I wanted to line votes up 14 - 11 or whatever it is.

"When are we going to do things on merit and on concerns like these that are raised. Should this bill pass, it may affect people out there; I'm talking about consumers. When are we going to do things on the merits, Senator Cobb?"

Senator Abercrombie rose to speak against the measure and stated:

"Mr. President, speaking against the bill, the other day I was talking to somebody about the possibility that maybe the remote possibility but nonetheless the possibility, that I may be able to buy a home ... getting together with a group of people who all live in a pile or something like that and try to get a place.

"Well, look, we already have one argument about merits and you know, do you have the votes and so on. Mr. President, I don't doubt for a minute that if you want to go with this and I tell this to the Consumer Protection chairman too ... if you've got the votes, I'm sure you can go get the votes, but that shouldn't be the object, it really shouldn't, I don't care what kind of arguments we're having in here ... and we haven't done this kind of thing. We really tried to work these things out with one another, even right here on the floor right now we've been trying to do it.

"Everybody knows in here that this is defective, and everybody knows that the whole idea of bonding is to guarantee the rest of it, that's the idea. And if the thing is in there these guys are going to be able to take a run and the consumer's going to get the short end. We don't have to pass it and we certainly don't have to go in a situation and hope the AG will get us off the hook, after we pass it we hope the Governor will get us off the hook. That's no way to do it.

"There's no shame in this. How many times, maybe more times coming, that I've had to get the crow down my throat or say that I wish I hadn't done it. How many times have I stood up and said I didn't know what the vote was, could you please repeat it because I know 'A' comes up first

on a roll call and I won't have time to try and figure it out before I say 'yes' or 'no.' I've done these things, it's in the record. That's the way this record's going to be again, if the courts look at it. They're going to take a look at this too. So, all I'm saying is that there's no big deal about recommitting a bill or putting it back for action and try and get the thing back in. It shows good sense.

"Nobody can get mad at you for trying to do the right thing and none of us are so infallible, as I'm sure recent events have proved, that we always know what we're doing every second; that we're always making the right decision; that we're always attuned to how it all works.

"What I'm saying here is that I'm sure that no one here, at least after the discussion, informal and formal, on this floor, no one here really believes that this thing is the way it should be so let's not pass it and do something credible as a result. The sun will come up tomorrow and then we'll be able to take care of it and deal with it the right way and do it. Just to vote for it because we all want to vote for it is not going to work, and we've had examples, Mr. President, in conclusion, just on bills that have come through here.

"There are members of the current majority that have voted 'no' on bills that went through yes and there are members of the minority Democrats and in the minority among the Republicans that have had different votes on issues so there's no lockstep here, and there's nothing in the rules that says anything about a lockstep and everybody, at least in my experience here, Mr. President, has always been able at the end when they think that they have to go another way on a bill have been able to do so. Nobody's held them to bad account for it. So, I really implore the chairman again to consider what I'm saying and let's go back and work this bill over and see if we can't come out with it the way it should be."

Senator Chang, on a point of personal privilege, stated: "Mr. President, point of personal privilege. I just want to make it clear that my smile is not a rendition of legal opinion. Thank you."

Senator Cayetano then inquired: "Mr. President, then I'd like to ask the Judiciary chairman, if he would yield to a question?"

The Chair inquired of the Judiciary

chairman and Senator Chang answered: "Mr. President, I'd like to hear the question first."

Senator Cayetano asked: "Mr. President, I would like his opinion as an attorney as to whether this bill is defective or not?"

The Chair advised Senator Chang that he need not answer the question and Senator Chang responded: "Mr. President, I realize that, and I'd just like to say that my function as the chairman of the Judiciary Committee does not involve rendering legal opinion on the chamber floor; I leave that post and role to the Senate attorney. Thank you."

Senator Cayetano continued: "Mr. President, then I'd just like an opinion from him, based on common sense."

Senator Abercrombie added: "Mr. President, I would like to have you direct the question that was previously posed to the Senate attorney."

The Chair responded: "I think the matter should remain a matter of discussion here among Senators. We are in debate and have been in debate for quite a while now. It's not my style to cut off any kind of questioning but there obviously is an honest difference in interpretation on this particular measure which cannot be resolved by debate. I think the full body has heard the arguments which should be kept limited on the Senate floor just to the members.

"What other people believe, as far as opinion is concerned, does not constitute part of the voting procedure here in the Senate. You are elected as Senators to vote; staff or other individuals should not enter into the debate."

Senator Abercrombie then remarked: "Mr. President, I have been given credit, myself, on occasion for being able to use the English language in a somewhat convoluted manner in order to accomplish of what in some people's mind is a nefarious purpose and I want to say that you're right up there with me."

The Chair answered: "Not with those words."

Senator Abercrombie continued: "Mr. President, this Senate attorney is available to all of us and is hired for that purpose, to render advice. I don't think the question is out of

line as to whether or not he has an opinion with respect to the question as posed by Senator Cayetano that would enlighten us and enable us, help us make a vote which we in good conscience can give, based on his competent advice, wouldn't you agree?"

The Chair answered: "Yes, providing it is understood that we are here for final voting on a measure. An individual Senator, when he is on this floor, if he wants a recess to seek the opinion of the Senate attorney and then relay that information back to the Senate floor, that's totally proper as far as I'm concerned."

Senator Abercrombie responded: "Mr. President, I appreciate that and would make that request."

At 12:42 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:48 o'clock p.m.

Senator Abercrombie then continued and said: "Mr. President, thank you. I appreciate the opportunity to speak with our well versed and articulate attorney who assures me that in fact the bill is 'inartful.' I'm not sure that that's a word but I know what he means ... that it is vague; that it could be interpreted in the adverse sense that I have alluded to and others have; that it is basically then a policy question for this body.

"As a result of that, do we want to pass legislation which is vague in its interpretation, regardless of what we say here, so they could go to a court, for example, and the court would say, well, hell, they discussed exactly these problems, why didn't they do it right? I assume that's what the court will do. They'll say, obviously they were aware of the possibility of the defect and they passed it anyway.

"So, in fact, I think the advice from the attorney was good. If you want to pass a bill which is likely to be defective, go ahead, if that's your policy. And if it's your policy not to pass bills which have a likelihood or possibility of being defective, then don't.

"So, what we're going to do with this vote is decide who's for defective bills and who's against defective bills; who's for taking a chance that the consumer would get the short end and

who's for taking a chance that the courts would do maybe what we hope they will; who's for passing legislation because we know what it's going to do and can state it clearly and stand on it with confidence, and who wants to pass legislation where we have the proverbial 'wing and a prayer.'

"I just don't think the Senate should do things like that. I think that we ought to have a little more confidence, other than that which comes about by peripheral attitude."

Senator Carpenter then said: "Mr. President, I just wanted to apologize to this body for reintroducing this bill in the first place. I had not realized at that time that it was going to generate so much discussion and that perhaps had we stayed with the original form we would not be having this discussion at this time."

Senator Cobb responded: "Mr. President, if we had stayed with the original form, the bill would have been long since dead. The House made the major amendments to it.

"I'd like to point out also, Mr. President, the attorney that was spoken to indicated that there was a possibility of disagreement or vagueness. Any such bill, when we look closely enough and want to nitpick it apart, would have that kind of possibility and very often after we pass bills with a unanimous vote, they are vetoed by the Governor for some technical reason that we didn't even consider, and that comes from the Attorney General's and other departments' review of legislation, and the first week of June is usually spent reviewing and reading veto messages from the Governor on that very point.

"I would also add, in deference to my friends in the legal profession, it's been my experience over the years and it's certainly been reinforced this year, that if you have three attorneys you're going to have anywhere from five to six opinions, depending on interpretation and case review.

"I think that the ultimate safeguard in this bill, despite the disagreement, is the Attorney General's review. Thank you."

Senator Abercrombie then said: "Mr. President, taking your admonition into account, I appreciate the fact that I have been able to speak more than twice on this issue, but as you've indicated, it's important

to have a full debate, sometimes that requires rejoinders.

"Mr. President, your own admonition to me, and I'm sure it's to others as well, was that we have to decide here and make our votes here, and while I appreciate the previous speaker's remarks with respect to the competency of the Attorney General to make up for our mistakes and let the Governor know about it, I think that we should try to ... I would assume that the object of our deliberations here and in the passing of legislation is to limit, as much as possible, the necessity for the Attorney General to have to come in and pick up after us.

"The conclusion ultimately then, it seems to me quite clearly, is that the bill will likely not stand, at the very least has raised serious questions and on that basis should not be passed. Otherwise, we are taking a chance with the consumer.

"I ask, finally then that we try to think beyond the boundaries of this floor and beyond the boundaries of the Attorney General's office on the fourth floor and even the boundaries of the Governor's office on the fifth floor and think about all the people who will be living on various floors of buildings that might be affected adversely, if we pass this legislation. I know it may sound strange sometimes during these 60 days but we are supposed to be representing them."

Senator Cobb added: "Mr. President, during the discussion with the attorney, he indicated very clearly that if suretyship were not found to be enforceable, there will be no limit on suits by any consumer at any time on any element of suretyship.

"As far as talking about merits on this thing and sincerity, if the questioner who initially risen to question me had really been sincere in asking those kinds of questions, he would have come to me and asked those kind of questions, I would have gotten the answers for him. Instead, it was done on the floor and then we had to defer the matter; then I had to go get the answers and then get back. So, I question also the sincerity of it when it's said on merit."

Senator Cayetano then responded: "Mr. President, okay, let's take the wraps off this bill. Let's take the wraps off this bill and let's tell the public exactly where this bill is coming from.

"When the Senate version of this appeared in the Consumer Protection Committee, of which I was a member, even the chairman signed 'with reservation' and there were four 'I do not concurs.' The bill would never have made it out of committee but for some arm-twisting.

"You want the truth? This bill is for special interest, for the architects. They got a lot of play here and that's a fact. So don't give me this 'BS' about merits and all of that."

Senator Cobb answered: "Mr. President, in direct response, the reason I put 'WR' was to flag out the matter for the Judiciary Committee review. After the bill did not pass by the deadline date to move bills to the final committee another committee report was circulated to get the matter over to the House for further consideration. That was done. I anticipated amendments to be made by the House. I even spoke to several members of the House Judiciary Committee in favor of such an amendment, and I'm glad they did amend it."

Senator Cayetano then continued: "Mr. President, the chairman's statement that he anticipated the amendments, so why didn't he anticipate the amendments here? The fact of the matter is, the only reason that the bill was amended is because panels started falling in this building. We began to think about some of the children that we invite here who could get hurt. House members began to think of that, that's why amendments to the bill were made, otherwise, this bill would come out or would have flown out from the House exactly as it was in the Senate."

Senator Cobb responded: "Mr. President, at the time I was speaking to the House members it was before there were any such problems with panels and, in fact, I suggested some of the various amendments that were proposed by the previous speaker with relation to insurance being included in the bill. Unfortunately, the House didn't agree with that but I think that's a very live issue for future consideration."

At 12:56 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:57 o'clock p.m.

Senator Abercrombie then rose on a point of inquiry and stated:

"Mr. President, I have a point of inquiry.

"When the remarks were made by the chairman of the Consumer Protection Committee about the sincerity, let alone the propriety, of questions or remarks on the floor, I believe he referred to a speaker in the singular. I assume he was not referring to me, is that correct?"

Senator Cobb answered: "That is correct, Mr. President."

Senator Abercrombie thanked Senator Cobb.

The Chair then remarked: "Members of the Senate, before we go on roll call vote, we've had a very lively discussion this morning and, obviously, there are very great differences in interpretation. The Senate is now prepared to vote on the measure and I hope we will do so. Please try to get back into the stream of discussion of forthcoming bills, on the bill subject matter rather than diverting attention to other kinds of subject. If that be the understanding, the Clerk will now call the roll."

The motion was put by the Chair and, Roll Call vote having been requested, S.B. No. 640, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi). Excused, 1 (George).

THIRD READING

House Bill No. 237:

By unanimous consent, action on H.B. No. 237, entitled: "A BILL FOR AN ACT RELATING TO THE CONTROL OF TUBERCULOSIS," was deferred until Monday, April 18, 1983.

House Bill No. 240:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 240, entitled: "A BILL FOR AN ACT RELATING TO THE REQUIRED BLOOD SAMPLES OF PREGNANT WOMEN," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (George).

ADVISE AND CONSENT

Standing Committee Report No. 886 (Gov. Msg. No. 239):

Senator Cobb moved that Stand. Com. Rep. No. 886 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Regents, University of Hawaii, of the following:

Daniel M. Ishii, term to expire December 31, 1984; and

Gladys Ainoa Brandt, term to expire December 31, 1986,

seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (George).

Standing Committee Report No. 887 (Gov. Msg. No. 197):

Senator Cobb moved that Stand. Com. Rep. No. 887 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Dennis G. Aguilar, to the Civil Service Commission, term to expire December 31, 1986, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (George).

Standing Committee Report No. 888 (Gov. Msg. No. 198):

Senator Cobb moved that Stand. Com. Rep. No. 888 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Advisory Commission on Manpower and Full Employment, of the following:

Tom Foye, term to expire June 30,

1984;

Joseph Jay Furfaro, term to expire June 30, 1985; and

William Y. Yamada, William F. Murray, Ed.D., Betty S.J. Chung and Rowena L. Blaisdell, terms to expire June 30, 1986,

seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (George).

Standing Committee Report No. 889 (Gov. Msg. No. 200):

Senator Cobb moved that Stand. Com. Rep. No. 889 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Vocational Rehabilitation, of the following:

Sally Ann Price, term to expire December 31, 1985; and

Richard Y. Suehiro and Bobby G. Smith, terms to expire December 31, 1986,

seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (George).

Standing Committee Report No. 890 (Gov. Msg. No. 241):

By unanimous consent, action on Stand. Com. Rep. No. 890 and Gov. Msg. No. 241 was deferred until Monday, April 18, 1983.

Standing Committee Report No. 891 (Gov. Msg. No. 242):

Senator Cobb moved that Stand. Com. Rep. No. 891 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Franklin Y.K. Sunn as Director of Social Services, term to expire December 1, 1986, seconded by Senator Soares.

At this time, Senator Carpenter

spoke in support of the nomination and stated:

"Mr. President, very briefly, I think Mr. Franklin Sunn has done a really creditable job as the Director of Social Services and Housing. It has been a pleasure to work with him for several years as Judiciary Committee chairman on some very difficult subject matter relating to corrections.

"I believe he is deserving of another term and I think he will do a commendably, good job. Hopefully, some of his staff people will improve a little bit more under his guidance in the future so that, in fact, he can do a better job. Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (George).

Standing Committee Report No. 892 (Gov. Msg. No. 243):

Senator Cobb moved that Stand. Com. Rep. No. 892 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Peter T. Suemori, to the Board of Trustees, Employees' Retirement System, term to expire January 1, 1989, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (George).

Standing Committee Report No. 893 (Gov. Msg. No. 244):

Senator Cobb moved that Stand. Com. Rep. No. 893 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Justin Wong and J.N. Musto, to the Board of Trustees, Hawaii Public Employees Health Fund, term to expire December 31, 1986, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused,

1 (George).

Standing Committee Report No. 894
(Gov. Msg. No. 268):

Senator Cobb moved that Stand. Com. Rep. No. 894 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Trustees for Deferred Compensation Plan, of the following:

Robert E. Cooling, term to expire December 31, 1986; and

Valri Lei Kunimoto, term to expire December 31, 1985,

seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (George).

Standing Committee Report No. 896
(Gov. Msg. No. 219):

Senator Cobb moved that Stand. Com. Rep. No. 896 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Jack K. Suwa as Chairman, Board of Agriculture, term to expire December 31, 1986, seconded by Senator Soares.

Senator Toguchi, in support of the nomination, stated:

"Mr. President, it is my honor and pleasure to speak in support of Mr. Jack Suwa's reappointment as chairman of the Board of Agriculture.

"Jack has had an outstanding record, both in the private 'ag' community as well as with the State of Hawaii. He has spent over 35 years in the agricultural community with the sugar companies, as well as with AmFac.

"I first got to know Jack in the House where he served for 20 years and, as most of you know, he was the chairman of the Finance Committee for 10 years and did an outstanding job. I think there's nobody, presently, who has that kind of experience, legislative as well as agricultural.

"In the past few months that I have worked with him, I've not had anybody say one thing bad about Mr. Suwa. You would think that after being in service for that long that people in the 'ag' community would say something bad about somebody. There is overwhelming testimony in support of his reappointment and it is with pleasure that I recommend him to the body here and support his reappointment. Thank you."

Senator Kawasaki also spoke in support of the nomination and stated:

"Mr. President, I do also want to urge the unanimous confirmation of Mr. Suwa.

"Perhaps Mr. Suwa sets an example that a former legislator serving in the departments as a department head might not be such a bad idea, as some of the media people had assumed sometime ago.

"Jack, with his intensive background as a legislator and certainly the experience that he has gained as the finance committee chairman in the House which gave him an overall understanding of our legislative process, overall understanding of the budgeting process, and all of this added to his ability to serve as, perhaps, one of the good department heads we've had in that department, gives us proof that just because a man has served in the Legislature that is no reason for media people to have reservations about his ability to serve the public adequately in an appointed position.

"I urge unanimous confirmation of Mr. Suwa."

Senator Carpenter also spoke in support of the nomination as follows:

"Mr. President, just briefly, it has been my pleasure to know Mr. Suwa since 1969. I've known him as a private citizen, as a councilman, and certainly as a Senator serving in the same halls as he as a very respected legislator.

"I think that he's probably one of the few conscientious, dedicated public servants that has come from the private sector and into the Legislature and now serving as a member of the administration who has done a truly creditable job and is indeed deeply respected by almost every individual who comes in contact with him because of his dedication to his tasks and the seriousness to which he attaches his work.

"I hope all of my colleagues will support his confirmation. Thank you."

Senator Kawasaki then added: "Mr. President, I want to add some comments before some of the remarks made by Senator Toguchi are misinterpreted."

"Apparently, Senator Toguchi wants to confirm Jack Suwa because there were no complaints received from anybody about this gentleman."

"Sometimes this is not the best standard by which to judge individuals; we just have to sometimes confirm people who are complained about and we just have to look at the sources of the complaints and judge it on that basis."

At this time, Senator Cobb rose on a point of order and stated:

"Mr. President, reluctantly, I rise on a point of order."

"I have not as yet called this to the members' attention but I think it's timely to do so in a happy moment, to quote Rule 71 of the Senate that 'When any member is about to speak, such member shall rise from the member's seat and address all remarks to the President. While speaking, the member shall confine all remarks to the question under debate, shall refer to other Senators by title only (e.g., "Senator from the _____ District"; "The Chairman of the _____ Committee on _____"; "The Majority Leader,") and not by name and shall avoid personalities.'

"Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (George).

MISCELLANEOUS COMMUNICATION

A communication from Senators Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi (Misc. Com. No. 7), dated April 14, 1983, relating to a proposed amendment to Rule 3 (6) of the Senate Rules, was read by the Clerk and was placed on file.

At this time, Senator Cayetano rose to speak on Misc. Com. No. 7 and stated as follows:

"Mr. President, I would like to

make some remarks on this Miscellaneous Communication No. 7.

"Mr. President, on April 14, 1983, we sent to you, by me, I'm speaking of Senators Abercrombie, Carpenter, Fernandes Salling, Kawasaki, Toguchi and myself, a proposed amendment to Rule 3 (6) of the Senate Rules and I assume that all the members of the Senate have received a copy of the communication. Have they received it, Mr. President?"

The Chair replied: "Yes, Senator Cayetano."

Senator Cayetano continued: "Okay. That very afternoon, we received a response from you, dated April 14, 1983, which I would like to read. It's to Senators Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi from Richard S.H. Wong, Senate President, subject: Rule Change, and I quote:

'I am in receipt of your memorandum of April 14 proposing amendment to Rule 3(6) of the Senate Rules.'

'For your information, it is my intent to review the entire Senate Rules during the coming interim and to develop a revised set of Rules for adoption next year. Your proposal can most appropriately be considered as part of that total review.'

'I am not in favor of any piecemeal amendment to the Senate Rules at this time. Moreover, because of the various conferences and end-of-session activities now taking place, I do not feel it would be appropriate for the Senate to divert its attention to the Rules at this time. I should note that there is no urgency to your proposal since all governor's messages relating to nominations which have been received this session have already been referred to committee. The governor's office does not plan to submit any additional nominations before we adjourn sine die.'

'Therefore, it is my recommendation to the Senate that any consideration to amending the Senate Rules be deferred until a comprehensive review is made this interim.'

"Mr. President, your quick response to provide for a comprehensive review of the rules is welcomed by those of us who have sought reforms in the Senate. If the

efforts during the interim result in meaningful reform to our procedures for governance in 1984, it will be a significant step forward. We know, Mr. President, that if this occurs, it will be especially meaningful for you for it will be the 10th anniversary since you played a pivotal role in bringing such reform to the rules of the House of Representatives. And it is our hope that the work during the interim can be carried out in the spirit that led to the reforms you brought about 10 years ago. If such reforms are realized, it would be our honor to speak on behalf of the rules as you did when they were adopted ten years ago.

"As a result of your action, we will defer the motion that was submitted yesterday.

"At this time, however, we believe that the public deserves an explanation as to why the proposed rule change was made. The proposed amendment to Rule 3(6) would have required that all governor's communications nominating individuals to government posts would be referred to committee within 72 hours upon receipt of such communication. Currently, such nominations are referred at the discretion of the President. And you have indicated recently that such communications will be referred within a 'reasonable time.' If we recall correctly, a 'reasonable time period' was defined by you as one or two weeks.

"As you know, Mr. President, the necessity to review gubernatorial nominations is the result of our constitutional responsibility for 'advise and consent.' This is a special responsibility exclusive to the Senate. We alone are honored with the duty to serve as a legislative check on the executive branch and to assure that those appointed faithfully comply with the policies established by the Legislature.

"In the Senate, it is the standing committee that has the duty to the fulfillment of this responsibility. It is their assessment of the abilities and character of a nominee that determines whether he or she is fit to serve. In this regard, Mr. President, all rules and procedures of this body should assist and facilitate a standing committee's review of such individuals. Such communications from the Governor should be accorded the same treatment as a bill and resolution. In most cases, this is done. Our rules require hearings on such communications and specify the

manner for their adoption. It is, however, silent on one critical point. There is no reference in the rules as to when such nominations should be referred to the standing committee.

"Our concern about this matter stems from your remarks that such communications are routinely referred within a one or two week period. Our review of the past three sessions reveal some curious practices that may be viewed as lacking in consistency and impeding a committee's full consideration of a nomination. For example, in 1983, 178 messages that contained a nomination were submitted by the Governor to the Senate. Many were referred to committee within a week or two from the date of the governor's correspondence. In one case, where the nomination involved the nomination of a new state supreme court justice, only two days elapsed before the nomination was referred by you to the Judiciary Committee. But in another case, 29 days elapsed before it was referred.

"The nomination of Riki Higashionna to be reappointed to his post as Director of the Department of Transportation was submitted on March 15, along with the nominations of cabinet members Jack Suwa and Mary Bitterman. The nominations of Jack Suwa and Mary Bitterman were sent to committee by you on March 24, 10 days later. Mr. Higashionna, however, was the last nomination referred on April 12th, 29 days later. A reasonable person could not help but wonder about why this occurred. And it certainly would raise questions about whether the Committee on Transportation might have had more time to amply consider the nomination of Mr. Higashionna by simply having his nomination before the committee without delay. You might recall, Mr. President, that your Majority Leader, Senator Uwayne, publicly expressed the view that his new duties as majority leader may interfere with Mr. Higashionna's confirmation hearing. Fortunately, that did not turn out to be the case.

"This, Mr. President, however, is not an isolated incident. Our examination of both the 1981 and 1982 Journals reveal information that support the need for the proposed amendment. For instance, in 1981, one message was not referred to committee for 75 calendar days. This governor's message, No. 313, nominating Robert Lee to the Boxing Commission, was dated February 5 and was not sent to committee until

April 20, the 56th day of the session. There is no explanation on the record for this unusually long delay.

"In addition, the Senate Journals reveal the average number of days for each message is beyond the reasonable time limit you mentioned, for example, the average in 1981 was 13 days. This year, it is 16 days. But last year it was 24 days.

"Further, in the last two years, more than 50 percent of all messages submitted required more than two weeks.

"Mr. President, what our proposed amendment would do would be to give the same consideration about referrals currently given to bills and resolutions to messages received by you on behalf of the Senate from the Governor relating to nominations. It would make perfunctory, the function of referrals so that the standing committee would receive immediately the name of a prospective nominee. We would then give the same consideration to all nominees and remove any appearance of impropriety or political gamesmanship.

"We know, Mr. President, you have often withheld a name to help the committee chairman, to reduce the pressure on a chairman. That is considerate of you. However, the President of the Senate should not operate as an omnibus chairman. Any Senator who is a standing committee chairman should be able to carry out the responsibilities of that position no matter how demanding, and no matter what the pressure is.

"We do not need to remind you that the subject of referrals has been a long standing concern within both chambers of the Legislature. Nearly 10 years ago, a fellow Senator, then a Representative, raised a future concern about the power of referrals. He spoke then of the referral of bills. However, his remarks are equally applicable to the referral of nominations. I quote from that now senator's remarks as stated in the 1974 House Journal:

'What disturbs me today is the silence of the proposed rules on the problems of referral of bills, for, at the present time, only three states have no control over the referral of their presiding officer and Hawaii is one of them.'

That Representative, now Senator, goes on to say:

'In short, to implement the idea

of reform in the referral of bills, we must have a change in the past practices of referral.'

"And you, Mr. President, ten years ago, recognized the need for reform to the rules and the lasting impact such reforms would have on the governance of the Legislature. At that time, you were a dissident Democrat, the leader of the dissidents and you stated that such reforms to the rules would, and I quote:

'Make us capable of bold action, responsive to the people's needs and desires, and utilizing all the talent and abilities of our members.'

"We would hope, Mr. President, that you do not look upon the amendment proposed by the six of us as an attempt to diminish your power as president but rather as an attempt to bring some stability to the governance of the Senate.

"We also take your proposal to study the rules in the interim, as a sign that you too recognize that perhaps some of the problems we experienced in the past weeks may have been abated or prevented by a more clear delineation and enforcement of the Senate rules defining the relationship between the subject matter committees and the Ways and Means Committee.

"Mr. President, in closing, let me, however, put the members of the Senate on notice that under the existing Senate rules, a one-day notice is required before moving to amend the rules and that we are hereby giving such notice. Should our concerns not be addressed satisfactorily in the interim, and we hope you will give us the right to participate in the review of those rules, then we reserve the right to move for the adoption of the proposed amendment at anytime next session, including, Mr. President, on opening day, a practice which, as you well know, you began ten years ago.

"Thank you."

Senator Kawasaki then rose to speak on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege. I would like to add a comment inasmuch as the subject that's on hand right now is a possible changing of the Senate rules. Perhaps this is in order ... might I suggest also that the body, if you are to do that or a committee, a subcommittee of the Senate that is

going to look into the possibility of amending some of our Senate rules that, perhaps, they create a position of parliamentary emeritus. I'm sure that there are certain senators who would be delighted in being appointed to that position, in addition to having the other titles."

Senator Carpenter then rose on a point of inquiry and asked:

"Mr. President, just a point of inquiry to the Chair.

"On receipt of the communication relative to the discussion on the memo (Misc. Com. No. 7) which Senator Cayetano just articulated to, my assumption is that at least for the balance of this session there would be no changes in the rules, is that correct?"

The Chair replied in the affirmative and Senator Carpenter continued: "That the interim study will take a broad look at the entire set of rules within the Senate?"

The Chair, again, replied in the affirmative and Senator Carpenter thanked the Chair.

Senator Cobb then rose on a point of personal privilege and stated: "Mr. President, on a point of personal privilege, I'd just like to remark that I think the House referral system is still in need of reform, if I look at the number of bills that have double referrals, although I realize we're not in a position anymore to instruct the House on how to run its own leadership. Thank you."

Senator Kawasaki, on a point of inquiry, asked:

"Mr. President, I rise on a point of inquiry.

"I read in this morning's newspaper, not that I read the morning newspaper regularly, something rather disturbing. I read where the chairman of the Committee on Economic Development is not holding a hearing on one of the governor's messages, a desire on his part for us to confirm one of his nominations, and I read where there will be no hearing held. My point of inquiry is, does that mean that the Governor's appointment will not be confirmed to that position? I address it to whoever can give me the answer."

The Chair then asked the chairman

of Economic Development if he would yield to the question and Senator Aki replied in the affirmative and answered the inquiry: "Yes, Mr. President, that is correct."

Senator Kawasaki then continued: "Thank you, Mr. President. That being the answer, I'm a little disturbed that we are not going to hold a hearing on one of the governor's messages. It just seems to me, and in my experience here, that there was no case that I could remember where a possible nominee to a position ..."

Senator Cayetano interjected: "Mr. President, on a point of inquiry, I wonder if Senator Kawasaki would identify who he's talking about, for the record?"

Senator Kawasaki answered: "Mr. President, the Governor's nominee, as I recall, is Mr. Roland Higashi, and it seems to me ..."

Senator Abercrombie interjected: "Mr. President, would the speaker yield to me?"

Senator Kawasaki answered: "Mr. President, I would."

Senator Abercrombie, at this time, asked the Chair for a recess and the Chair answered: "The Chair would rather finish the discussion since it's the last order of business, and I'm prepared to stay here for another few hours. I think this is a very good debate and it's a lively debate, I just want the Chair to have an opportunity to respond at some point. Would you yield to me?"

Senator Abercrombie responded: "I think so, Mr. President. If you would grant me a short recess I think it might expedite the debate."

At 1:24 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:25 o'clock p.m.

Senator Abercrombie then continued: "Thank you, Mr. President, I think the situation will be expedited and I will yield the floor back to the previous speaker."

Senator Kawasaki then proceeded and said: "Mr. President, I read, if I did read accurately, that the reason why the hearing was not going to be held on the Governor's nominee was because it was believed that the

nominee had campaigned against one of the Senators elected in the last election and here on this floor, and I really can't believe that this is the primary reason for a hearing not being held.

"I'd like to inquire of the chairman, perhaps he had some other compelling reasons why the hearings should not be held on this nominee, who, in my judgment, has served the people of this state very competently over the years."

Senator Aki then answered: "Mr. President, I would like to respond.

"The reason why the chair decided not to hold the hearing is because serious concerns were raised by members of this Senate. It was not as stated in the paper, a political reason, but more a philosophical difference that was raised, and I would like to just mention that this particular individual served on the very important body, the Board of Land and Natural Resources, and some critical decisions were made just recently concerning very important issues in our state. And these reasons ..."

The Chair interjected: "Senator Aki, I'm going to interrupt further discussion of the matter because I believe the person to whom all these remarks are referred to is really not here to defend himself. So, unless an arrangement can be made off the floor to satisfy the question raised by Senator Kawasaki, I would not like to pursue any further discussion on Mr. Higashi or his qualifications."

Senator Aki responded: "I agree, Mr. President, it's not proper to discuss this matter here."

Senator Carpenter, on a point of personal privilege, then said:

"Mr. President, to the point originally spoken to, I rise on a point of personal privilege in relation to the subject under discussion.

"Mr. President, the individual as pointed out by a previous speaker, Senator Kawasaki, has served for a number of years as a member of the Board of Land and Natural Resources. Mr. President, it has always been the practice of this body to acquiesce, if you will, to the desires of the Representatives or Senators from the various districts from which the members are appointed, either as board members or commissioners. Since this individual under discussion

at the present time is a Big Island representative, I'd like to ask that this body strongly consider the desire of members from the Big Island and hold a hearing on this nomination. And, if indeed philosophical or other kinds of discussion come to the fore then so be it.

"If that discussion determines the membership of the committee to disapprove the nomination prior to coming to this body, then so be it. But, I think, the individual, having served in that capacity, very formal capacity with the state, ought to be at least afforded that opportunity to defend himself, as you earlier indicated he is here not to.

"So, I would ask the chairman of the committee, in deference to the neighbor island contingent, that that individual be given an opportunity and his day in court prior to taking an overt action such as is contemplated here. Thank you."

Senator Kawasaki then added: "Mr. President, the suggestion made by the Senator from the Big Island is excellent. I too was going to suggest that a hearing be held to clarify some of these points of disagreement, some of the rumors, some of these objections to the individual nominee. I certainly sympathize with the chairman of the Economic Development Committee, if he was quoted inaccurately. This is par for the course for the morning paper."

Senator Carpenter inquired: "Mr. President, may I ask the chairman of the committee if he would reconsider his earlier decision?"

Senator Aki answered: "Mr. President, I appreciate the remarks of the Senator from the Big Island and will take that into consideration."

At this time, Senator Young, Chairman of the Committee on Housing and Urban Development and the Committee on Hawaiian Programs, requested a waiver of the 48-hour notice of a Public Hearing on the following measures:

H.B. No. 234, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," and

S.R. No. 135, entitled: "SENATE RESOLUTION REQUESTING THE CONTINUATION OF THE LEGISLATIVE AUDITOR'S INVENTORY OF LANDS IN THE PUBLIC TRUST AND THE POSSIBLE

CONFLICTING CLAIMS MADE ON
REVENUES DERIVED THEREFROM,"

and the President granted the waiver.

The Chair then made the following comment:

"Members of the Senate, just a brief comment as to what has occurred today.

"With reference particularly to the rules, I think it is common practice here in the Capitol that 'when the shoe is on the other foot' and it pinches, you try to replace it with another shoe. I understand that as part of the political process. But I also understand as part of the process that the rules themselves are subject to change. I welcome those changes. Whether you do it here on the floor by trying to convince members of the Senate to change the rules as we go along ... that is okay with the Chair too.

"I've always welcomed these kinds of changes. I want to say that I thought this was a very open and very sunshiny morning because there's a ray of light. If I interpret correctly the statements made by Senator Cayetano with reference to the group of individuals who proposed the rule changes, they are prepared to step back to full participation in Senate activities. I appreciate that.

"Perhaps, during the interim, feelings will change and we will have fuller participation in accepting responsibilities for committee assignments and for the work as committee chairman as part of the entire Senate. The Chair welcomes that kind of cooperation. Perhaps, maybe, Senator Cayetano, I will go back and read what I did ten years ago, just as a refresher."

Senator Cayetano remarked: "Mr. President, that journal is good reading. I suggest you go back and read it. There are some interesting comments by you, by Senator Cobb, which I think may give you cause to reflect on what has happened here in the past few weeks.

"As far as my remarks, I hope, Mr. President, that you will take that in its proper perspective. If a review of the rules and changes in the rules can be made to address the problems which brought us to what we are here today, I don't think any Senator with whom I am associated would have a problem with that. But just keep it in its proper perspective.

"As we have stated earlier, unless the rules to the ball game we're playing here change, I, personally, would rather stay on the team that I am on.

The Chair interjected: "Some of the players have changed."

Senator Carpenter then added: "Mr. President, to your remarks about a step back or go back as it were, I prefer to think of it as stepping forward together."

The Chair answered: "That would be another approach. If the approach was very sincere, which I know it is, I look forward to input from the six individuals who requested change. But, also, along with those changes comes participation and I'm looking forward to that also. And if we're going to change the rules of the game I want the people to also play within the rules and have a part in the game. That's all I'm saying. I'm really looking forward to it."

Senator Abercrombie asked: "Mr. President, may I apply for a lead role?"

The Chair replied: "You are welcome."

Senator Toguchi then said: "Mr. President, I just want to note that I'm willing to participate in anything that will improve the running of the Senate."

The Chair answered: "And that's good enough for me."

Senator Uwaine then added: "Mr. President, I would be remiss to also mention that as well as the six individual Senators who have proposed rules change all the other Senators as well as myself will be proposing some improvements to the Senate rules as well."

Senator Toguchi then said: "Mr. President, I'd just like to add an addendum to what Senator Cayetano said earlier. I would also like to suggest that the last speaker also look at the House Journal, especially 1979. Thank you."

Senator Uwaine answered: "Mr. President, after the Senator from Kaneohe read my last speech, I am reading the journal."

Senator Kawasaki then said: "Mr. President, I guess the moral to all of this is, be very careful about what

you enter into the Senate Journals because it might just come back to haunt you someday."

Senator Cobb added: "Mr. President, speaking to that very point as raised by the Senator from Pacific Heights, I can recall occasions when we had informed the Governor that a name did not have sufficient support and the person on the fifth floor did not believe that and so a number of names were brought out and the lack of such support was demonstrated very graphically on the floor of the Senate. Hopefully, the dialogue and communication have improved since that time with the fifth floor office so that when an indication of lack of support is given it's more credible.

"But I would agree, particularly with the remark just made, reading one's remarks ten years ago and considering where you're coming from can be very fascinating, personally."

Senator Ajifu then remarked: "Mr. President, just a short note. I just thought, after hearing some of the comments, that I'd like to make one short comment and say that 'to err is human' and that 'silence is golden.'"

APPOINTMENT OF CONFERE

Senate Bill No. 1075, S.D. 1 (H.D. 2):

The President appointed Senator Hagino as an additional Manager on the part of the Senate at the conference to be held for the consideration of amendments made by the House to S.B. No. 1075, S.D. 1.

ADJOURNMENT

At 1:41 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, April 18, 1983.

FIFTY-SIXTH DAY

Monday, April 18, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Ms. Kathleen Wenke of the Christian Science Society of Wahiawa, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Fifty-Fifth Day.

At this time, the following introductions were made to the members of the Senate:

Senator Ajifu, on behalf of the Senate, introduced 15 first grade students, including his grandson, John Gibo, who were accompanied by their teachers, Miss Ginger Goldsan and Miss Renee Funai.

Senator Kawasaki then introduced a group of 24 students from Punahou School, accompanied by their teacher, Mr. Kanehe, and parents Mrs. Gelber and Mrs. Kusao.

Senator Kuroda then rose and stated:

"Mr. President and members of the Senate, visiting with us today from Hartford, Connecticut is Colonel Ragnar Peterson and his wife Marge.

"Colonel Peterson is an original member of H Company, 442nd. We had the honor of being able to introduce the Company Commander, Colonel Kiegan, when the 40th anniversary of the 442nd took place in Honolulu, and today, we have the pleasure of entertaining Colonel Ragnar Peterson, the 2nd Platoon Leader, who went through combat with our boys from Hawaii. Since that time, Colonel Peterson and the boys have not had the opportunity to see each other until today."

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 287) transmitting copies of a report prepared by the Energy Division of the Department of Planning and Economic Development, entitled: "Hawaii's Fuel Requirements for Essential Services," February, 1983, was read by the Clerk and was referred to the Committee on Economic

Development.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 572 to 595), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 572) transmitting House Concurrent Resolution No. 89, which was adopted by the House of Representatives on April 15, 1983, was placed on file.

By unanimous consent, H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF EXISTING STATE HOSPITAL RATE REVIEW PROGRAMS," was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 573) transmitting House Concurrent Resolution No. 91, which was adopted by the House of Representatives on April 15, 1983, was placed on file.

By unanimous consent, H.C.R. No. 91, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE NECESSITY AND FEASIBILITY OF A COMPREHENSIVE REVIEW OF THE HAWAII INSURANCE LAWS," was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 574) transmitting House Concurrent Resolution No. 95, H.D. 1, which was adopted by the House of Representatives on April 15, 1983, was placed on file.

By unanimous consent, H.C.R. No. 95, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON IMPROVING AIR CARRIER SERVICE FOR MOVING DIVERSIFIED HAWAII AGRICULTURAL PRODUCTS," was referred to the Committee on Agriculture.

A communication from the House (Hse. Com. No. 575) transmitting House Concurrent Resolution No. 98, which was adopted by the House of Representatives on April 15, 1983, was placed on file.

By unanimous consent, H.C.R. No. 98, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE

UNITED STATES GOVERNMENT TO PROVIDE FEDERAL FUNDING TO THE STATE OF HAWAII FOR IMPROVEMENT OF THE SADDLE ROAD ON THE ISLAND OF HAWAII," was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 576) transmitting House Concurrent Resolution No. 174, H.D. 1, which was adopted by the House of Representatives on April 15, 1983, was placed on file.

By unanimous consent, H.C.R. No. 174, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL OF THE STATE OF HAWAII, IN THE MATTER OF APPEALING A RECENT FEDERAL COURT DECISION ON THE LAND REFORM ACT, TO RETAIN LEAD COUNSEL FOR THE STATE WITH SIGNIFICANT EXPERIENCE IN PLEADING BEFORE FEDERAL APPELLATE COURTS, INCLUDING THE UNITED STATES SUPREME COURT," was referred jointly to the Committee on Housing and Urban Development and the Committee on Judiciary.

A communication from the House (Hse. Com. No. 577) transmitting House Concurrent Resolution No. 201, which was adopted by the House of Representatives on April 15, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 201, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE PARTICIPATING COACHES AND STUDENT QUALIFIERS OF THE HAWAII STATE FORENSIC TOURNAMENT," was adopted.

A communication from the House (Hse. Com. No. 578), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 756, and the request for a conference on the subject matter of said amendments, on April 15, 1983, the Speaker appointed Representatives Say, Chairman, Hashimoto, Kiyabu-Saballa, Okamura, Takamine and Dang as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 579), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 834, S.D. 1, and the request for a conference on the

subject matter of said amendments, on April 15, 1983, the Speaker appointed Representatives Tungpalan and Kiyabu, Co-Chairman, Gaulty, Honda, Kawakami, Levin, Yoshimura and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 580), informing the Senate that on April 15, 1983, the Speaker added Representative Shito as Co-Chairman together with Representatives Say and Kiyabu on the part of the House at the conference on House Bill No. 1018, H.D. 2, S.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 581), informing the Senate that on April 15, 1983, the Speaker added Representative Okamura as Co-Chairman together with Representatives Say and Kiyabu on the part of the House at the conference on Senate Bill No. 903, S.D. 1, H.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 582), informing the Senate that on April 15, 1983, the Speaker added Representative Kawakami as Co-Chairman together with Representative Tungpalan on the part of the House at the conference on House Bill No. 809, H.D. 1, S.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 583), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1279, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 14, 1983, the Speaker appointed Representatives Okamura and Say, Co-Chairman, Crozier, Kawakami, Kiyabu, Kiyabu-Saballa, Nakata and Dang as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 584), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 994, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 14, 1983, the Speaker appointed Representatives Kiyabu, Chairman, Chun, Kawakami, Morgado and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House

(Hse. Com. No. 585), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 937, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 14, 1983, the Speaker appointed Representatives Kiyabu, Chairman, Bunda, Chun, Crozier, Graelty, Kawakami, Levin, Morgado, Nakata, Souki, Tam, Wong, Yoshimura, Anderson and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 586), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 834, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 14, 1983, the Speaker appointed Representatives Tungpalan, Chairman, Graelty, Honda, Kawakami, Kiyabu, Levin, Yoshimura and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 587), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 711, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 14, 1983, the Speaker appointed Representatives Shito, Chairman, Hirono, Lardizabal, Matsuura and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 588), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 30, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 14, 1983, the Speaker appointed Representatives Kawakami, Chairman, Chun, Levin and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 589), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 4, S.D. 1, and the request for a conference on the subject matter of said amendments, on

April 14, 1983, the Speaker appointed Representatives Kiyabu, Chairman, Bunda, Chun, Crozier, Graelty, Kawakami, Levin, Morgado, Nakata, Souki, Tam, Wong, Yoshimura, Anderson and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 590), informing the Senate that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 338, H.D. 1, and the request for a conference on the subject matter thereof, on April 14, 1983, the Speaker appointed Representatives Hagino, Chairman, Apo, Kiyabu-Saballa, Leong and Dang as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 591), informing the Senate that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 1087, H.D. 2, and the request for a conference on the subject matter thereof, on April 14, 1983, the Speaker appointed Representatives Baker, Chairman, Apo, Ige, Leong and Jones as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 592), informing the Senate that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 258, H.D. 1, and the request for a conference on the subject matter thereof, on April 15, 1983, the Speaker appointed Representatives Say, Chairman, Crozier, Nakata, Souki and Dang as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 593), informing the Senate that the amendments proposed by the Senate to House Bill No. 1304, H.D. 2, were agreed to by the House; and H.B. No. 1304, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 15, 1983, was placed on file.

A communication from the House (Hse. Com. No. 594), informing the Senate that the amendments proposed by the Senate to House Bill No. 1580, H.D. 1, were agreed to by the House; and H.B. No. 1580, H.D. 1, S.D. 1,

passed Final Reading in the House of Representatives on April 15, 1983, was placed on file.

A communication from the House (Hse. Com. No. 595), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 3, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which, on April 18, 1983, the Speaker appointed Representatives Kiyabu, Chairman, Kawakami and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 119), entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE OBSERVANCE OF PROFESSIONAL SECRETARIES WEEK FROM APRIL 24 TO 30, 1983, AND OF PROFESSIONAL SECRETARIES DAY ON APRIL 27, 1983," was offered by Senators Henderson, George, Abercrombie, A. Kobayashi, Uwayne, Soares, Kawasaki, Cobb, Wong, Solomon, Carpenter, Young, B. Kobayashi, Kuroda, Cayetano, Aki, Ajifu, Mizuguchi, Machida, Toguchi, Yamasaki, Holt, Hagino, Chang and Fernandes Salling, and was read by the Clerk.

On motion by Senator Henderson, seconded by Senator George and carried, S.C.R. No. 119 was adopted.

SENATE RESOLUTION

A resolution (S.R. No. 147), entitled: "SENATE RESOLUTION RECOGNIZING THE OBSERVANCE OF PROFESSIONAL SECRETARIES WEEK FROM APRIL 24 TO 30, 1983 AND OF PROFESSIONAL SECRETARIES DAY ON APRIL 27, 1983," was offered by Senators Henderson, George, Abercrombie, A. Kobayashi, Uwayne, Soares, Cayetano, Cobb, Machida, Aki, Kawasaki, Solomon, B. Kobayashi, Young, Kuroda, Wong, Mizuguchi, Carpenter, Ajifu, Toguchi, Yamasaki, Holt, Hagino, Chang and Fernandes Salling, and was read by the Clerk.

On motion by Senator Henderson, seconded by Senator Soares and carried, S.R. No. 147 was adopted.

CONFERENCE COMMITTEE REPORTS

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 274,

H.D. 1, presented a report (Conf. Com. Rep. No. 1) recommending that H.B. No. 274, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 1 and H.B. No. 274, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 278, H.D. 1, presented a report (Conf. Com. Rep. No. 2) recommending that H.B. No. 278, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 2 and H.B. No. 278, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 286, H.D. 2, presented a report (Conf. Com. Rep. No. 3) recommending that H.B. No. 286, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 3 and H.B. No. 286, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF BARBERING," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 291, H.D. 1, presented a report (Conf. Com. Rep. No. 4) recommending that H.B. No. 291, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 4 and H.B. No. 291, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," was deferred for a

period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 659, presented a report (Conf. Com. Rep. No. 5) recommending that H.B. No. 659, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 5 and H.B. No. 659, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 923) informing the Senate that Conference Committee Report Nos. 1 to 5, Senate Concurrent Resolution No. 119, Senate Resolution No. 147 and Standing Committee Report Nos. 924 to 928 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 924) recommending that Senate Resolution No. 32 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 32, entitled: "SENATE RESOLUTION REQUESTING AN IMPROVEMENT OF THE HAWAIIAN EDUCATION PROGRAM," was adopted.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 925) recommending that Senate Concurrent Resolution No. 50 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 50, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR'S SMALL BUSINESS ADVISORY COMMITTEE TO ASSESS THE STATE'S CONTRACTING OF PUBLIC SERVICES FROM THE PRIVATE SECTOR," was

adopted.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 926) recommending that Senate Resolution No. 63 be adopted.

On motion by Senator Cobb, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.R. No. 63, entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR'S SMALL BUSINESS ADVISORY COMMITTEE TO ASSESS THE STATE'S CONTRACTING OF PUBLIC SERVICES FROM THE PRIVATE SECTOR," was adopted.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 927) recommending that Senate Resolution No. 28, as amended in S.D. 1, be referred to the Committee on Human Resources.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 28, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE RIGHTS AND BENEFITS OF FULL-TIME ELECTED AND APPOINTED OFFICERS AND EMPLOYEES OF THE STATE AND COUNTY GOVERNMENTS," was referred to the Committee on Human Resources.

Senator Young for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 928) recommending that Senate Resolution No. 39 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 39, entitled: "SENATE RESOLUTION RELATING TO THE COORDINATION OF SERVICES TO NATIVE HAWAIIANS," was adopted.

MATTERS DEFERRED FROM
APRIL 11, 1983

FINAL READING

Senate Bill No. 6, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 6, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIA-

TIONS THEREFOR," was deferred until Thursday, April 21, 1983.

Senate Bill No. 368, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 368, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," was deferred until Thursday, April 21, 1983.

Senate Bill No. 608, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 608, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL ASSISTANCE," was deferred until Thursday, April 21, 1983.

MATTERS DEFERRED FROM
APRIL 15, 1983

ADVISE AND CONSENT

Standing Committee Report No. 890 (Gov. Msg. No. 241):

By unanimous consent, action on Stand. Com. Rep. No. 890 and Gov. Msg. No. 241 was deferred to the end of the calendar.

THIRD READING

House Bill No. 237:

By unanimous consent, action on H.B. No. 237, entitled: "A BILL FOR AN ACT RELATING TO THE CONTROL OF TUBERCULOSIS," was deferred until Tuesday, April 19, 1983.

At 12:03 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:06 o'clock p.m.

THIRD READING

House Bill No. 431, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 431, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 166, H.D. 1:

On motion by Senator Cobb, sec-

onded by Senator Soares and carried, H.B. No. 166, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 277:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 277, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 288:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 288, entitled: "A BILL FOR AN ACT RELATING TO CHIROPRACTIC," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1201, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1201, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 902 (H.B. No. 601, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 902 and H.B. No. 601, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE EQUIPMENT," was deferred until Tuesday, April 19, 1983.

Standing Committee Report No. 903 (H.B. No. 334, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 903 and H.B. NO. 334, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING," was deferred until Tuesday, April 19, 1983.

House Bill No. 44, H.D. 1:

On motion by Senator Cobb, sec-

onded by Senator Soares and carried, H.B. No. 44, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PLANNING AND DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 328, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 328, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 546, H.D. 2:

Senator Cobb moved that H.B. No. 546, H.D. 2, having been read throughout, pass Third Reading, seconded by Senator Soares.

At this time, Senator Abercrombie rose and stated:

"Mr. President, I'd like to speak in favor of this bill.

"Mr. President, if the members will examine this bill, they will find that the purpose is to raise the compensation of patient employees at Hansen's Disease facilities to minimum wage rates.

"Mr. President, the fact of the matter has been that for many, many years, if not virtually for the entire existence of the Kalaupapa Settlement, there have been many patients who have been capable of being employed and working at a part of full-time basis, despite the disease of leprosy from which they suffer. These people, far from wishing to participate in any charitable enterprise as such, have contributed to the very best of their mental and physical abilities to do the work that needed to be done in the settlement. Unfortunately, simply because they had the disease of leprosy, it was adjudged that they should be paid less than other people for the same kind of work and doing the same amount of work.

"This is clearly discriminatory. It is clearly a carryover from the old days...the old days which unfortunately existed right up until the present time. Therefore, Mr.

President, it is clear with the passage of this bill, we'll have taken a small step toward recognizing the contributions the patients have made to the viability of their own settlement.

"Thank you very much."

Senator Fernandes Salling then stated:

"Mr. President, I too, rise to speak in favor of this bill.

"I'd just like to point out that in the Ways and Means Committee, when this was brought to our attention, the Department also testified that it would be working with the same budget amount, \$50,000, for payment to these patients, which would mean that despite the fact that they would receive an increase of their hourly wages, that perhaps what will happen is that they would be looking at a decrease in working hours. I would like the Department and the members to be aware of this and to please take it into consideration, and not to reduce their working hours. Thank you."

The motion was put by the Chair and carried and H.B. No. 546, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT OF PATIENTS AT FACILITIES FOR THE TREATMENT OF PERSONS SUFFERING FROM HANSEN'S DISEASE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 911 (H.B. No. 594):

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 594, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 912 (H.B. No. 330):

Senator Cobb moved that Stand. Com. Rep. No. 912 be adopted and H.B. No. 330, having been read throughout, pass Third Reading, seconded by Senator Soares.

At this time, Senator Carpenter

then stated:

"Mr. President, I rise to speak in favor of this measure, but with some reservations. This bill purports to take from a dual jurisdiction, from both the Department of Accounting and General Services and the Department of Transportation, and fix under one department the responsibilities for the improvement of facilities relating to airports and aeronautics in general. The language which is not mentioned in the committee report also adds 'without the approval of county agencies.'

"At the present time, all agencies of the state are at least, inferentially supposed to report to the various counties because of the fact that any development project, such as an airport and the appurtenant facilities, certainly will bear on the water, sewer, police, fire and other municipal services. I'm not exactly sure whether or not problems have accrued in the past, which brings this language to bear in this sense.

"Perhaps, I should point out that this appears to be circumventing the county planning process. It would appear to me that all of the airports with general aviation facilities are basically already in place and to allow, or to have a particular state agency with such a large enterprise, basically circumventing the county process in terms of at least a minimal review, would appear to fly in the face of respecting the county jurisdictions and their planning responsibilities.

"With this caution, Mr. President, I would like to see that, if at all possible, even though the bill passes in its present form, that the state departments do indeed cooperate in the planning efforts with the individual counties. Thank you."

Senator Abercrombie then rose and stated:

"Mr. President, would the chairman of the Transportation Committee yield to a question?"

The question was posed by the Chair and Senator Uwayne, having answered in the negative, Senator Abercrombie continued:

"Perhaps then, the chairman of the Ways and Means Committee would be so good as to respond to a question with respect to the previous speaker's remarks? This has to do with the approval of county agencies."

Senator Yamasaki replied:

"Mr. President, as far as the question that was raised regarding the approval of the counties, I believe that as far as design and planning, under the State Plan, the guidelines of the counties would be adhered to by the state agencies, although the Harbors Division already has this authority, and same authority is sought for the airports."

Senator Abercrombie then queried:

"Is it my understanding, Mr. President, that is the law or is that a hope?"

Senator Yamasaki then replied:

"I believe the State Plan Act is the law right now."

Senator Abercrombie then continued:

"I think then, Mr. President, I shall speak against the bill.

"Mr. President, I find it very unfortunate that the chairman of the Transportation Committee is unwilling to answer a fundamental question with respect to where the exact authority, responsibility or obligations of the counties are concerned, and if the Transportation chairman is in addition, the Majority Leader, I presume that means that the Majority is also unwilling to give an answer, or that he can speak on behalf of the Majority. This may be the way that the new Majority Leader thinks that business should be conducted, but I think that it neither serves the purpose of the body politic nor does it serve the voters.

"Now, the County of Oahu, in particular, is in the throes of trying to finish their development plans at the present time, and it is not clear in my mind from any answer, (and I do appreciate that the Ways and Means chairman was willing to attempt to give me an answer with respect to some of the implications,) but I think that a law is concerned here, and that the chairman of the Transportation Committee at least owes the public an explanation as to why the bill is coming forward, minus the approval of the county agencies!

"There may be a perfectly good reason for it. It may be obscure. But I am not a member of the Transportation Committee...it is obscure at the moment. Perhaps the Majority Leader, when he indicated before that

he was so busy with his new duties is such that he can't take care of his old duties, either. But, nonetheless, the fact still remains that there is a bill...it says here on page 4, '...without the approval of county agencies.'

"Now, a perfectly reasonable question was asked by the Senator from the Big Island as to whether or not that would have an impact on the taxpayers of the various counties with respect to sewage and drainage, et cetera, or actually to go further would have an impact on their development plans. Now, it's not that I see anything nefarious or mysterious in it. I thought that there would be a simple answer to a question as to whether the present law covers this. But the fact that the chairman is unwilling to give an answer in public makes it mysterious...the fact that we cannot have a simple answer to a simple question as to what the import of the law is, is indicative to me, that this, perhaps, is another bill that has not been very well researched!

"I have to ask these questions on the floor because there's no other way to get the answers! And, when the chairman of the committee sits in his chair, his arms folded behind his head, looking very self-satisfied about his inability or his incapacity to answer a question that may affect the counties, I think it shows exactly what's going on here! I notice that he continues in that endeavor and that, perhaps would give an indication to the public as to exactly what we can expect from the leadership that's involved with both his chairmanship and his position as Majority Leader!

"In the meantime, Mr. President, it would seem to me that in the absence of an answer to a perfectly reasonable question to put forward, (there's nothing tricky in it; there's nothing deceptive in it; on the contrary, the lack of an answer is indicative of those particular activities,) that it would be better not to vote the bill up.

"Now, if there is anyone who can give a definitive answer, in the absence of the chairman's incapacity or unwillingness, as to what the effect of this is in terms of the present state law and the county development plans, I would be happy to hear of it. And, if it is a satisfactory answer, I would be happy to vote for it, but in the absence of an answer to that question, it seems to

me it's incumbent upon us to vote this bill down!"

At 12:19 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:22 o'clock p.m.

By unanimous consent, action on Stand. Com. Rep. No. 912 and H.B. No. 330, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," was deferred until Tuesday, April 19, 1983.

House Bill No. 242, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 242, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF CREDIT CARDS FOR HOSPITAL CHARGES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1285, H.D. 2:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1285, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PLACEMENT OF A SCULPTURE AT THE KAUAI STATE OFFICE BUILDING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 882:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 882, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

House Bill No. 244, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 244, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 917
(H.B. No. 1262, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 917 and H.B. No. 1262, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR CONSTRUCTION OF AN ETHANOL PLANT," was deferred until Thursday, April 21, 1983.

House Bill No. 251, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 251, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WILD BIRD, GAME BIRD, AND GAME MAMMAL PERMITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 837, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 837, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC LIFE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

ADVISE AND CONSENT

Standing Committee Report No. 906
(Gov. Msg. No. 250):

Senator Yamasaki moved that Stand. Com. Rep. No. 906 be received and placed on file, seconded by Senator B. Kobayashi and carried.

Senator Yamasaki then moved that the Senate advise and consent to the nomination of Jensen S.L. Hee as Director of Finance, term to expire December 1, 1986, seconded by Senator B. Kobayashi.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 907
(Gov. Msg. No. 251):

Senator Yamasaki moved that Stand. Com. Rep. No. 907 be received and placed on file, seconded by Senator B. Kobayashi and carried.

Senator Yamasaki then moved that

the Senate advise and consent to the nomination of George Freitas as Director of Taxation, term to expire December 1, 1986, seconded by Senator B. Kobayashi.

Senator Soares then stated:

"Mr. President, I rise to speak in favor of the nomination of George Freitas as Director of Taxation, and I do so with great pride in that fact that this gentleman, who is a career employee of the Department, has wisdom and knowledge in the area of taxation far beyond any ever dreamed of by us here in this capitol building.

"George has been available at all times with his page number and section and clause and whatever else you ask him to interpret for you, and has more than satisfied all of us in his tremendous capacity to serve. I think it's a great opportunity for us today to honor this gentleman again, and ask all of us in this chamber to support his nomination."

Senator Kawasaki then rose and stated:

"Mr. President, I also rise to speak in favor of confirmation of Mr. Freitas. I believe Mr. Freitas' problem is not as much trying to get confirmed around here, but getting the Legislature to go along with his recommendations. At the rate of which some recommendations have been turned down! If I were him I would not even seek the position.

"My only concern about Mr. Freitas is that he's been rather anxious to conform the state code with the Internal Revenue Code. Inasmuch as the Internal Revenue Code is altered every time we get a new President and a new administration in Washington, perhaps he should take a better look and not be so anxious to conform our state code to the Internal Revenue Code."

Senator Chang then stated:

"Mr. President, I rise to speak in favor of this nomination. Mr. Freitas' presence at committee hearings has been joyful occasions and he has made my first legislative session a very memorable one, indeed. Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 908
(Gov. Msg. No. 252):

By unanimous consent, action on Stand. Com. Rep. No. 908 and Gov. Msg. No. 252 recommending that the Senate advise and consent to the nomination of Hideo Murakami as Comptroller in accordance with Gov. Msg. No. 252, was deferred until Tuesday, April 19, 1983.

Standing Committee Report No. 918
(Gov. Msg. No. 231):

By unanimous consent, action on Stand. Com. Rep. No. 918 and Gov. Msg. No. 231 recommending that the Senate advise and consent to the nomination of Georgiana Padeken as Chairperson, Hawaiian Homes Commission in accordance with Gov. Msg. No. 231, was deferred until Tuesday, April 19, 1983.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

ADVISE AND CONSENT

Standing Committee Report No. 890
(Gov. Msg. No. 241):

Senator Machida moved that Stand. Com. Rep. No. 890 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Machida then moved that the Senate advise and consent to the nomination of Joshua C. Aagsalud as Director of Labor and Industrial Relations, term to expire December 1, 1986, seconded by Senator Abercrombie.

Roll Call having been ordered, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Carpenter, Cobb, Fernandes Salling, George, Henderson, Kawasaki and Solomon).

RECONSIDERATION OF ACTION TAKEN

Senator Chang moved that the Senate reconsider its action taken on April 7, 1983 on S.B. No. 115, S.D. 1, H.D. 1, seconded by Senator Cobb.

Senator Chang then stated as follows:

"Mr. President, the Senate had previously disagreed with the House version of this bill. On further analysis, your conferees have found

that the House version is preferable and would recommend its adoption by the Senate after 48 hours' notice."

Senator Cayetano then rose and stated:

"Mr. President, would the chairman explain the differences, please?"

Senator Chang replied:

"Mr. President, this motion will put the bill on 48 hours' notice and I'll be happy to go over the differences between the versions in detail with the Senator in the comfort of his office."

Senator Cayetano then queried:

"How about the 'discomfort' of the floor?"

Senator Chang then stated:

"Mr. President I would be willing to go through that too, if he permits me the courtesy of going over it with him, line by line, in his office first."

Senator Cayetano then replied:

"I will, Mr. President."

Senator Abercrombie then rose and stated:

"Mr. President, would it be too much to ask what the bill relates to? It's not before me, so that's to give us some clue."

Senator Chang then replied:

"Mr. President, as has been my custom, I will recite the numbers of the standing committee reports that relate to this bill so that the Senators can conduct their own analysis -- first, the House Standing Committee Report No. 725 and the Senate Standing Committee Report No. 343. This relates to the Uniform Unclaimed Property Act."

The motion was put by the Chair and carried.

On motion by Senator Chang, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 115, S.D. 1, H.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 115, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM UNCLAIMED PROPERTY ACT."

At 12:34 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:36 o'clock p.m.

At this time, Senator Carpenter rose and queried:

"Mr. President, would you ask the chairman of the Economic Development Committee if he's had a chance to reconsider his decision relating to the governor's message on the Board of Land and Natural Resources candidate, Roland Higashi?"

Senator Aki replied:

"Yes, Mr. President, I am still considering the matter and at this time I have not scheduled a public hearing."

Senator Carpenter then stated:

"Mr. President, on a point of inquiry, what would be the appropriate time so that should the matter come to the floor it would time out with the completion of this session?"

The President replied:

"Within 24 hours and hopefully for adjournment on Friday."

At this time, Senator George then stated:

"Mr. President, I rise on a point of personal privilege. Mr. President, I believe there isn't anybody in this room who did not read with a great deal of attention the article in Sunday's Star Bulletin and Advertiser and this morning's Advertiser on a subject of considerable interest to this body. The article was on, of course, drunk driving.

"I found reading the articles a 'sobering' experience. Unfortunately the results of our laws were not equally sobering, as I had something to do, as did several of the other people here on the floor today, with passage of the original bill. I think it's appropriate for us to reflect a little bit as to whether or not the article is indeed correct. The headline says, 'Tough law' (which is what we felt we were passing last year) 'not tough enough, experts say, on drunk driving.'

"The article goes on to spread blame around liberally, not just on the law that we passed, which was signed by the Governor last year,

but also spreads a little of the blame around on the enforcement policies of the police which they feel to have been (with the possible exception of the Island of Kauai) no tougher than they had been in previous years; the prosecutors who have chosen to ignore one aspect of the law which we felt would give them an additional weapon (and that's the culpability or punishment for refusing to take a test to find out what the blood alcohol content level is;) and on the courts which are using only to a very tiny degree the possibility of imprisonment of those who are found guilty of driving while drunk.

"Mr. President, I don't think we can expect the police, the prosecutors and the courts to toughen their responsibilities to get the drunks out from behind the wheel and off the roads unless we ourselves are willing to shoulder some of the blame and tighten up on the law that we passed. I remember standing here last year and moving for passage on Final Reading of the drunk driving law and having Senator O'Connor say 'the law was not tough enough; that the current law was tougher because it provided for the capability of the courts to fine up to a thousand dollars,' although they rarely did so. After that, Senator Kawasaki rose and said that the law was exactly the opposite, that it was too tough. So, I imagine that prevailed on my colleagues who felt that if there were people so widely dispersed in their feeling about it that probably it was about in the middle, so we went ahead and passed it.

"I hesitate to do this, Mr. President, (I don't think that I have ever done this before) but I would like to implore the chairman of the Transportation Committee to report out H.B. No. 187, which is presently in that committee. I realize that this bill has a second referral. It would be a little difficult, even though we were to report it out to the floor now, for it to 'get out of the woods,' but the possibility exists that the bill could be waived to the Judiciary Committee, which was the second referral. That chairman could then waive the second referral and we could conceivably pass that measure, unamended, and give some indication to the public that this Legislature is indeed serious about stopping the carnage on our highways.

"Mr. President, would you ask the chairman of the Transportation Committee if he would respond to an inquiry?"

The President then replied:

"Senator George, I must apologize, the chairman has left the floor at this particular juncture."

Senator George then replied:

"I think that's a great pity. I don't know whether it was in anticipation that something like this might happen. I hope not. I have a feeling that he will hear of my query and perhaps will respond to it at some later date. I think I've made about as much of a point and implored about as loud as I can implore about this."

"Thank you very much, Mr. President."

Senator Cayetano then rose and stated:

"Mr. President, may we have a short recess so that the Sergeant-at-Arms can find the chairman. I think that it's a good question that Senator George is asking."

The President replied:

"I think, Senator Cayetano..., I don't know how to locate the chairman, but I will make every effort to do it and see that he contacts Senator George sometime today for a response."

Senator George then replied:

"I would hope, Mr. President, that a response could be made not just to me, but to my colleagues. I'm pretty sure I'm not the only one in this chamber who'd be interested in this legislation and who would like to know whether there's going to be serious consideration in resuscitating it. Thank you."

Senator Carpenter then rose and stated:

"Mr. President, if I may rise on a point of personal privilege, taking off where Senator George left off, I think one of the things we did last year in promulgating a bill relating to driving under the influence was that we standardized the effectiveness of the sentence. We may not have standardized it to a point where people feel that it's strong enough or tough enough, but Senator George and I co-introduced a bill this year which would have brought us up to the federal standards. Basically, H.B. 187, with H.D. 1, would take us to that minimum standard essentially

requiring the removal of license from 30 days on the first offense to an automatic 90 days. If that bill is resurrected, I think it could add, indeed, a great measure toward the strengthening of the initial bill which was put forward by the Legislature last year. It's a fairly small change; it would cost basically nothing in terms of the administration of the present driving under the intoxication of liquor laws. Thank you."

Senator Abercrombie then rose and stated:

"Mr. President, if you would permit me to follow up just a bit on the remarks of the previous two speakers. The reason why I would favor an action such as suggested by the Senator from the Windward Area is that, as so often takes place in the legislative process, and I think it is taking place right now in the conference committee between the Finance Committee and the Ways and Means Committee, you often find, in the course of events, that information comes to hand that you did not have previously, which either strengthens or perhaps weakens one's position, and hopefully, we're all flexible enough that when we get information that would cause us to alter our position, that we do so in the public interest."

"So, my remarks refer to the articles of Mr. Hollis, who, by the way, I might add, is a particularly well qualified person in terms of conducting in-depth studies, not just necessarily in regard to this topic, but in doing surveys and working with the people at the University and in the judiciary system in a systematic and scholarly fashion. He has been a recipient of several awards to pursue this kind of background so as to enhance his repertorial capacities. I think we can rely on the validity of his approach and upon the people with whom he has worked, with whom I'm familiar."

"There are studies currently being undertaken in the University system and elsewhere that back this up, so the thrust of my point, Mr. President, is that if the chairman of the Transportation Committee would examine this information, which after all only came to light yesterday in organized form, it perhaps would have a positive effect on the movement of this legislation. It does not reflect at all on the committee holding the legislation to this point, but rather it's merely a recognition that when information does become avail-

able to us that enables us to make a move on our positions, that it's incumbent upon us to do so and that reflects credit on the whole body when we are able to do it.

"Thank you."

The President then replied:

"We will take a short recess. Perhaps the issue will be attended to in a very short while as the chairman has just returned to the floor."

At 12:45 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:47 o'clock p.m.

At this time, Senator Uwaine rose and stated:

"Mr. President, early this morning when the conference was over, at about 5:00 a.m. this morning, on my way home, I stopped off at a newspaper stand and bought the Advertiser and prominently on the page of this morning's Advertiser, as well as yesterday's...on Sunday's paper, there was an article on the drunk driving bill.

"I found this morning's article to be especially disturbing as there were major points of interest that were raised by very prominent people in the community -- judges, as well as prosecutors and the police department -- about the effect of the present drunk driving law that we were led to believe was a very tough law. However, after reconsideration upon reading this article and properly reflecting on several of the comments that I had made previously and listening to the testimony that was presented to the Committee on Transportation during the hearings on the drunk driving bills, which, on the contrary to this article, nobody came to testify to that effect.

"I find myself presently in agreement with several of the statements that were made pertaining to the fact that maybe Hawaii's drunk driving law isn't as strong as I was led to believe. In that respect, Mr. President, I would like for you to consider waiving the drunk driving bills over to the Committee on Judiciary. There are several bills and probably, perhaps maybe even after the session adjourns today, we can have a discussion with yourself, Senator George and other interested Senators in reflecting upon which

bill, or rather, the appropriate bill to pass over. I would have no objections.

"Thank you, Mr. President."

Senator George then stated:

"Thank you. Mr. President, I'm sorry that the chairman didn't get a chance to hear my impassioned plea to waive. Our minds must have been moving along the same lines.

"I wonder if the chairman of the Transportation Committee would indicate whether in his last statement he intended that a request be made to report the bill out of the Judiciary Committee to the floor for action in this session or if we are to anticipate a year's delay before passage can be made?"

The President replied:

"Senator George, I think the request will come to the Chair shortly for working out the mechanics involved in bringing the measure to the floor."

Senator George then concluded her remarks stating:

"I would appreciate thoughtful attention to the matter. Thank you."

The President replied:

"Thank you very much, Senator George."

Senator Carpenter then stated:

"Mr. President, I would like to point out to Senator George, the author of the Senate version...I think it's a little bit better. However, in the absence of that one as a vehicle that could move forward before the end of the session, I certainly think that H.B. 187, H.D. 1, would certainly be acceptable."

The President replied:

"We are bound by the deadline arrangements made with the House on amending House bills. At this late date, it's my understanding that the leadership of the House has indicated that the only measure that they will accept past the deadline is the State Budget. All other House bills with Senate amendments will not be acceptable to the House."

Senator Cayetano then queried:

"Mr. President, just for my clari-

fication. I heard the chairman of the Transportation Committee indicate that he would waive the bill to Judiciary. Now, since we are running out of time, for my information, is the bill in Judiciary?"

The President replied:

"The bill is now in Transportation. It's a matter of working out the mechanics. Perhaps, if I can discuss the matter with the Judiciary chairman, he may choose to waive his referral and the bill can come out on Second Reading, unamended, to the floor for a vote."

Senator Cayetano then stated:

"Fine. Would you inform us as to when the decision will be made?"

The President replied:

"As soon as we can mechanically work it out."

Senator Cayetano concluded his remarks stating:

"Okay. Thank you very much, Mr. President."

Senator Cobb then rose and stated:

"On a point of order, Mr. President, the decision to waive is the chairman's. In either case, a decision for subsequent public

hearing is the chairman's. If the committee decides to report a bill out, then it would come out, I presume, with a committee report. If there's a double waiver, then the bill would come out with no committee report attached. But, in any event, the decision would first have to be made by the Transportation Committee chairman and second, by the Judiciary chairman."

The President then stated:

"Yes, but I think, Senator Cobb, that there is a mechanical problem that first must be resolved."

Senator Cayetano then queried:

"Can we expect an answer tomorrow?"

The President replied:

"I'll get you an appropriate answer as soon as I can, Senator Cayetano."

Senator Cayetano then replied:

"Thank you, Mr. President."

ADJOURNMENT

At 12:55 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, April 19, 1983.

FIFTY-SEVENTH DAY

Tuesday, April 19, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:45 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Olin Pendleton, Pastor of Kokokahi Church, Kaneohe, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Fifty-Sixth Day.

Senator A. Kobayashi then introduced to the members of the Senate a group of students from Our Redeemer Lutheran School, who were sitting in the gallery, accompanied by Senior Class Adviser, Lee Barton.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 288) informing the Senate that on April 14, 1983, he signed the following bills into law:

H.B. No. 275 as Act 2, entitled: "RELATING TO INSURANCE," and

H.B. No. 276 as Act 3, entitled: "RELATING TO INSURANCE,"

was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 596 to 630) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 596) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 6, H.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 597) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 42, H.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 598) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 43,

H.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 599) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 114, H.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 600) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 182, was placed on file.

A communication from the House (Hse. Com. No. 601) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 253, H.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 602) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 256, H.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 603) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 268, H.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 604) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 269, was placed on file.

A communication from the House (Hse. Com. No. 605) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 272, H.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 606) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 287, H.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 607) informing the

Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 289, H.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 608) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 325, was placed on file.

A communication from the House (Hse. Com. No. 609) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 519, H.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 610) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 722, H.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 611) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 810, H.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 612) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 813, was placed on file.

A communication from the House (Hse. Com. No. 613) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 817, H.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 614) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 1061, H.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 615) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 1123, H.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 616) informing the

Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 1151, H.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 617) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 1231, H.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 618) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 1237, was placed on file.

A communication from the House (Hse. Com. No. 619) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 1401, H.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 620) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 1402, H.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 621) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 1583, H.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 622) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 69, H.D. 2, and the Speaker, on April 18, 1983, discharged the Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 623) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 338, H.D. 1, and the Speaker, on April 18, 1983, discharged the Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 624) informing the

Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 576, H.D. 1, and the Speaker, on April 18, 1983, discharged the Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 625) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 783, and the Speaker, on April 18, 1983, discharged the Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 626) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 1087, H.D. 2, and the Speaker, on April 18, 1983, discharged the Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 627) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 1363, H.D. 1, and the Speaker, on April 18, 1983, discharged the Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 628) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 1434, H.D. 1, and the Speaker, on April 18, 1983, discharged the Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 629) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 1438, H.D. 1, and the Speaker, on April 18, 1983, discharged the Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 630) informing the

Senate that the Speaker, on April 19, 1983, discharged Representatives Crozier, Kawakami, Okamura, and Dang, and added Representatives Hirono, Matsuura and Ikeda as Managers on the part of the House at the conference on H.B. No. 1018, H.D. 2, S.D. 2, was placed on file.

CONFERENCE COMMITTEE REPORTS

Senator B. Kobayashi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 502, H.D. 2, presented a report (Conf. Com. Rep. No. 6) recommending that H.B. No. 502, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 6 and H.B. No. 502, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred for a period of 48 hours.

Senator Machida, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 236, S.D. 1, presented a report (Conf. Com. Rep. No. 7) recommending that S.B. No. 236, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 7 and S.B. No. 236, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMED CONSENT," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 191, S.D. 1, presented a report (Conf. Com. Rep. No. 8) recommending that S.B. No. 191, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 8 and S.B. No. 191, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the Senate to the amendments

proposed by the House to Senate Bill No. 450, S.D. 1, presented a report (Conf. Com. Rep. No. 9) recommending that S.B. No. 450, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 9 and S.B. No. 450, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM MANAGEMENT," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 621, H.D. 1, presented a report (Conf. Com. Rep. No. 10) recommending that H.B. No. 621, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 10 and H.B. No. 621, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPEECH PATHOLOGISTS AND AUDIOLOGISTS," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 915, presented a report (Conf. Com. Rep. No. 11) recommending that H.B. No. 915, S.D. 1, as amended in C.D. 1, pass Final Reading.

By unanimous consent, Conf. Com. Rep. No. 11 and H.B. No. 915, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," was recommitted to the Committee on Conference.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 55, S.D. 1, presented a report (Conf. Com. Rep. No. 12) recommending that S.B. No. 55, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 12 and S.B. No. 55, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BUSINESS CORPORATION ACT," was deferred

for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 929) informing the Senate that Conference Committee Report Nos. 6 to 12 and Standing Committee Report Nos. 930 to 944 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 930) recommending that House Bill No. 703, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 930 and H.B. No. 703, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATE ENERGY," was deferred until Thursday, April 21, 1983.

At 12:04 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:06 o'clock p.m.

Senators Uwayne and Hagino, for the Committee on Transportation and the Committee on Federal Relations, presented a report (Stand. Com. Rep. No. 931) recommending that Senate Concurrent Resolution No. 47, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the joint report of the Committees was adopted and S.C.R. No. 47, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF DEFENSE AND TRANSPORTATION TO GIVE DUE AND CAREFUL CONSIDERATION TO THE FEASIBILITY OF MAKING A MILITARY AIRFIELD ON OAHU AVAILABLE FOR JOINT CIVILIAN AND MILITARY USE IN ITS SEPTEMBER 1983 REPORT TO CONGRESS," was adopted.

Senator Hagino, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 932) recommending that House Bill No. 1117 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1117, entitled: "A BILL FOR AN ACT RELATING TO STATE FAIRS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 21, 1983.

Senators Cobb and Mizuguchi, for the Committee on Consumer Protection and Commerce and the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 933) recommending that Senate Concurrent Resolution No. 61, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the joint report of the Committees was adopted and S.C.R. No. 61, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO ARRANGE FOR A STUDY OF THE WORKERS' COMPENSATION PROGRAM BY THE LEGISLATIVE AUDITOR," was adopted.

Senators Cobb and Mizuguchi, for the Committee on Consumer Protection and Commerce and the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 934) recommending that Senate Resolution No. 77, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the joint report of the Committees was adopted and S.R. No. 77, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE TO ARRANGE FOR A STUDY OF THE WORKERS' COMPENSATION PROGRAM BY THE LEGISLATIVE AUDITOR," was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 935) recommending that Senate Concurrent Resolution No. 49, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 49, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO REVIEW THE IMPLEMENTATION AND ADMINISTRATION OF THE PILOTAGE LAW," was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 936) recommending that Senate Resolution No. 60, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 60, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO REVIEW THE IMPLEMENTATION AND ADMINISTRATION OF THE PILOTAGE LAW," was referred to the Committee on Legislative Management.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 937) recommending that House Bill No. 684, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 684, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD TENANT CODE," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 21, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 938) recommending that House Bill No. 527, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 527, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 21, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 939) recommending that House Bill No. 914, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 914, H.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO INDUSTRIAL LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 21, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 940) recommending that Senate Resolution No. 58, as amended in S.D. 1 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 58, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO KAHANA VALLEY," was adopted.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 941) recommending that Senate Concurrent Resolution No. 46, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 46, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO KAHANA VALLEY," was adopted.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 942) recommending that Senate Concurrent Resolution No. 43, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 43, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GENERAL SERVICES ADMINISTRATION TO REFRAIN FROM DISPOSING OF ANY FEDERAL SURPLUS LANDS UNTIL THE STATE AND COUNTIES OF HAWAII HAVE BEEN ABLE TO FULLY DETERMINE POTENTIAL USE OF THESE LANDS," was adopted.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 943) recommending that Senate Concurrent Resolution No. 35, as amended in S.D. 1 be adopted.

On motion by Senator Cobb,

seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 35, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES' INTENT TO EXPAND THE USE OF CONCESSION AGREEMENTS TO DEVELOP AND OPERATE CAMPING AND CABIN RENTAL FACILITIES IN CERTAIN STATE PARKS," was adopted.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 944) recommending that Senate Resolution No. 65 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 65, entitled: "SENATE RESOLUTION REQUESTING FURTHER ACTION ON THE DESIGNATION OF A STATE NATURAL RECREATIONAL AND HISTORIC PARK AT KAPUA, HONOMALINO, OKOE, KAULANAMAUNA, AND MANUKA DISTRICTS IN SOUTH KONA AND KA'U, ISLAND OF HAWAII," was adopted.

ORDER OF THE DAY

MATTERS DEFERRED
FROM APRIL 18, 1983

THIRD READING

House Bill No. 237:

By unanimous consent, action on H.B. No. 237, entitled: "A BILL FOR AN ACT RELATING TO THE CONTROL OF TUBERCULOSIS," was deferred until Wednesday, April 20, 1983.

Standing Committee Report No. 902 (H.B. No. 601, H.D. 1):

Senator Uwaine moved that Stand. Com. Rep. No. 902 be adopted and H. B. No. 601, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

Senator George then rose to speak against the measure and stated:

"Mr. President, to no one's surprise, I would like to speak against Standing Committee Report No. 902, House Bill No. 601, relating to motor vehicle equipment.

"Mr. President, this is an old friend about which we have had considerable discussion in the past.

This refers to tinted windshields. I think it's been around for a couple of years, as a matter of fact.

"First off, I would like to assure my colleagues in the Senate and, indeed, anyone else who has tinted windshields, that there's nothing personal about this. I don't wish to deprive anyone of having tinted windshields on their automobiles although I understand some of my colleagues do indeed indulge in same.

"What I'm concerned about is an assurance that I have been given repeatedly that we are preempted from enacting anything that has to do with the visibility standards of windshields on automobiles. I've had it told to me by attorneys; I've had it told to me by people from Washington; I've had it told to me from the Ninth Federal District, the Secretary's representative's office.

"The way in which we are preempted is that we are preempted in any aspect of performance that's dealt with in federal statute or federal regulations and the visibility standard is an aspect of performance; therefore, our preemption.

"I understand that we can legislate, if we want to, on the way in which windows go up and down, the size and shape of windows, the color of tinting, so long as we don't legislate in the area of the transmission of light or visibility.

"I recognize that other states have enacted legislation in this same area. The information that I received is that there will be litigation; that states will be called to account by the Federal Government in this case and I don't think we ought to encourage litigation. Let's wait and find out what happens in other states ... cost money to litigate in this case so I think we ought to hold off on this one.

"Thank you, Mr. President."

Senator Carpenter added: "Mr. President, I'd just like to remind the good Senator from the Windward District that federal preemption also applies to the Hawaii Newspaper Preservation Act. Thank you."

Senator Kawasaki spoke for the measure and said:

"Mr. President, I rise to speak in favor of the bill.

"Before I do that I'd like to give

due credit to people who were very energetic and responsible for the enactment of this statute which is now going to, perhaps, unclutter our court calendar where people were being cited for possible violation of the window tinting regulation, not a law, but regulation, adopted by the Department of Transportation, in my judgment, rather arbitrarily ... these cases will be settled very definitely, I hope, in the future.

"First of all, I'd like to give credit to the chairman of the House Transportation Committee, Representative Brian Taniguchi, and a member of that committee, newly elected Representative Mercado Kim, and the person who did a lot of leg work in doing a lot of very intense research, about the federal statutes, our regulation regarding window tinting, Mr. Steve Walston, who represents the industry, people who do the tinting, in the tinting business. Credit is also due to the research and the staff work done by Senator Uwayne and his committee.

"This, I think, for the first time puts on our books a statute that is a reasonable regulation of the use of window tinting. This is going to be a boom to some 38,000 motorists who, I understand, have window tinting of some sort or the other.

"The bill very definitively outlines what is going to be permissible, at least, by the State of Hawaii.

"Many states do not have any regulation regarding window tinting. Some states totally disregard any type of regulation so everything is allowed, so to speak. I think the bill, as it was finally drafted and agreed to by both the House and Senate, is a reasonable one.

"Let me just outline briefly what it does.

"First of all, it allows the use of window tints for all windows where the tint allows 35% light transmission, and if you were to go in to one of these cars using the 35% light transmission tint, you'll find that it's perfectly reasonable. It provides the comfort; it helps to exclude the heat and glare, particularly, the ultraviolet rays. It excludes 95% of the ultraviolet rays which is proven to be harmful to many individuals.

"Incidentally, it was pointed out in the committee deliberations that when a dermatologist examines a patient coming into his office for skin cancer,

the first examination that he conducts is to look at your left arm, primarily because this is where, when you're driving, the sun's rays hit your arm consistently. That's the first examination he makes and the committee deliberations brought out the fact that usually these tints, the proper type of tinting material, excludes up to 95% of the harmful ultraviolet rays.

"The bill that is finally before us does not, does not permit tinting in the front windshield, which is to say the front windshield has to remain clear, although there are some states that even allow tinting the front windshield. It does allow up to six inches on the upper portion of your windshield, the use of the 35% light transmission material, but anything below that is not to be tinted; which is to say that it provides, retains the driver safety factor that we're all concerned about.

"There was some testimony provided by opponents of the bill to say that if you use too dark a tint, law enforcement officers, for example, cannot see the occupants ... who the occupants are.

"I concede that when the tint is too dark, and there are some very dark tints, this law will prohibit the use of these tinting material which is too dark. Thirty-five percent is a reasonable compromise. People who are the occupants can be seen.

"At night, however, the visibility of the occupants, at least the detailed visibility of the occupants is not as easy. Perhaps this is desirable. Many people, I was surprised to find out, use these tints because they want their womenfolk in the family, their wives, their daughters, to be safe at night.

"We have had many incidents of women drivers being accosted and being harassed on the road, particularly on the Windward side where the cases have been pretty bad where hoodlums would accost women drivers, knowing that they are women drivers, particularly at late hours of the night. Many people use these tints primarily so that people cannot see that their wives or their daughters are driving and they use the tints for that purpose.

"I think the bill now, as it stands, when it is enacted, at least is going to provide some very specific standards which will be used by the courts in trying to determine what is

to be the adjudication result. The courts heretofore have not been able to provide any kind of a judgment because the regulations, as it stood on the books, were very nebulous.

"I'd like to respond to the previous speaker's remarks that the Federal Government preempts all state statutes in this regard.

"I'm reading from a letter sent to the chairman of the Transportation Committee by the Department of Transportation, State of Hawaii, which says in effect ... let me read one section.

'The federal preemption law does not apply to businesses or vehicle owners. The federal regulations do not govern vehicle owners. Only the state law can regulate the owners. However, dealers and repair businesses are federally regulated';

that is to say, the federal regulation providing for a minimum of 70% light transmission, that is the federal standard, applies to manufacturers and to automobile dealers. It does not apply to the end-user which is the automobile owner who uses these tints.

"The federal regulations do not govern vehicle owners, only state law can regulate owners. However, dealers and repair businesses are federally regulated.

"The rest of this letter goes on to other details of the Federal Highway Safety Law which has no relevancy to the window tinting.

"But my point is the 'feds,' in my judgment, according to this letter and according to verbal opinions that I received from the Attorney General's office, the federal regulations do not apply to the end-user and businesses who sell these tinting materials, so this is to say that the law is going to be enforceable. I think it's going to be sustained by the courts.

"At least now, for the first time, the State of Hawaii is going to provide some very reasonable standards by which people can use these window tints. And I dare say, I dare predict that once this is enacted into law, people who try the window tints for reasons of their own are going to find that they are unable to do without the use of these tints.

"For those reasons, I think we should vote for this bill."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 902 was adopted and H.B. No. 601, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE EQUIPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (George, A. Kobayashi and Soares).

Standing Committee Report No. 903 (H.B. No. 334, H.D. 1):

On motion by Senator Uwaine, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 903 was adopted and H.B. No. 334, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 912 (H.B. No. 330):

Senator Uwaine then requested that Stand. Com. Rep. No. 912 and H.B. No. 330 be recommitted to the Committee on Ways and Means, and in explanation, stated as follows:

"Mr. President, yesterday the Senator from Makiki as well as the Senator from the Big Island, Hilo, raised some very valid concerns about this bill ... concerns that are both very reasonable and have merit, and since that time I have had the opportunity to go to my committee records and re-read the testimony that was presented by the Department of Transportation.

"After reading that testimony, it wasn't very clear as far as addressing some of the concerns that were raised by the Senators, therefore, I spoke to Dr. Higashionna of the Department of Transportation. After talking to him and other interested parties, I've come to the conclusion that the concerns raised by the two Senators are valid; there are some problems with this bill.

"In closing, Mr. President, I'd like to mention that they have every right to question certain bills on this floor and I welcome that; however, I would appreciate if it they would come to my office to talk to me about these bills or other concerns that they have.

"Again, Mr. President, I welcome this kind of discussion and as one

Senator said, there's no shame in moving to reconsider a bill ... and after consulting with Senator Yamasaki, we find that we'd like to reconsider this bill for further discussion and we'll take it upon ourselves to pass it out next year with the necessary amendments, in addressing the concerns raised by the two Senators.

The President, noting that there were no objections, recommitted Stand. Com. Rep. No. 912 and H.B. No. 330, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," to the Committee on Ways and Means.

ADVISE AND CONSENT

Standing Committee Report No. 908 (Gov. Msg. No. 252):

Senator Yamasaki moved that Stand. Com. Rep. No. 908 be received and placed on file, seconded by Senator B. Kobayashi and carried.

Senator Yamasaki then moved that the Senate advise and consent to the nomination of Hideo Murakami as Comptroller, term to expire December 1, 1986, seconded by Senator B. Kobayashi.

At this time, Senator Cayetano rose to speak against the confirmation and stated:

"Mr. President, I'm going to vote against the confirmation of Mr. Hideo Murakami.

"Mr. President, I don't have anything personal against Mr. Murakami. I like him; I think he is a very personal human being; however, during his tenure as the Comptroller, as the head of the Department of Accounting and General Services (DAGS), he has done some curious things, I think, which fly in the face of legislative intent.

"The first is the construction of that eyesore out on Vineyard and Punchbowl, which is a garage which will basically provide parking spaces for state employees, and the revenue derived from those parking spaces will never in our lifetime pay for the cost of those parking spaces. This was done in clear defiance, I think, of the intent of the Legislature. Those who have served here before remember that Mr. Murakami took advantage of some prior appropriations to get that parking lot started even though the Legislature in 1980 and even in 1981 and '82 took the position that that structure

should not be built, given the capital improvement needs of our community. But he went ahead and built it anyway. And if you ask me, I think, basically, the reason he went ahead to build it is a testimonial to the kind of administration he has given his department -- once you get something rolling, even though the facts and circumstances change, the train keeps on going; no reconsideration.

"The second reason is maybe a bit more personal.

"Mr. President, in 1974, I believe, or '73, the Judiciary came in to the Legislature and asked that a certain parcel of land adjoining the corner of Halekauwila and Punchbowl be purchased, be condemned. If I had to draw a diagram of this piece of land on a blackboard it would be rectangular in shape. That's the way the plans were when they came to the Legislature for the appropriation. But a curious thing happened... it happened here in the Senate. You weren't the President at that time so I guess we can't blame you for that one. But, Mr. President, you were Ways and Means chairman, as I recall.

"And, so, the parcel, when you looked at it, looked like a rectangle. And then a curious thing happened in the Senate. You see, someone had an office right in the middle of that parcel and if this parcel had been purchased under the lease that that particular party would have suffered some loss of economic gain, so we did a curious thing. I shouldn't say we because I wasn't here, I was in the House. The Senate did a curious thing. It cut up the parcel so that it looked like a horseshoe when they were finished. They cut a little piece right around this fellow's office and, of course, it turned out that this person had very strong connections with the executive. But I don't blame the executive for this because my discussions with him indicate that he didn't know anything about this. The person happened to be, at one time, the Governor's campaign treasurer, I believe. We're speaking about Mr. Norman Inaba and Greater Hawaiian Realty.

"And so, what happened, Mr. President, when you became President and we had the new politics in 1979 and 1980, we saw the conflict of interest and so we put about four or five million dollars into the budget. This drive was spearheaded by Senator Kawasaki and myself. At that time I was the Ways and Means chairman and Senator Kawasaki was a

member. We wanted to purchase that particular piece of property that was cut out, giving the Judiciary what it wanted from the beginning -- a whole parcel of land. Because, you see, when they cut the piece out, what it did to the Judiciary's plans for that particular parcel was to upset the whole appellation. They had to redesign the building to fit the configuration that came out of the Senate. To put it mildly, there was grease all over this particular appropriation, right up to your ankles.

"And so, what happened? We put the money back in, in 1979 I believe. Senator Kawasaki can nod in agreement, if it is 1979 ... right, okay.

"In 1979 we put the money back in and because of Mr. Murakami's direction of DAGS, that project has been stalled and stalled and stalled and stalled, and a few years ago we had to make a reappropriation because, otherwise, it would have lapsed. Today, of course, we are in no position to make any kind of appropriation and I assume that maybe next year, it will probably lapse.

"What I'm getting at is that the man obviously had different priorities than we do here. And I think that in that particular case the people of this state were the losers. The person who has his office there still continues to roll along; still does business. I assume that he has now derived some kind of economic benefit from that lease and the Judiciary has had to redesign the complex and things go on as usual.

"So, for that reason, I'm going to vote against Mr. Murakami's confirmation."

Senator Kawasaki then rose to speak in support of the nomination and stated:

"Mr. President, I rise to speak in favor of the confirmation of Mr. Murakami and, perhaps, I should explain here that, in my judgment, Mr. Murakami is not to blame for the delay in the acquisition of that parcel. One of the paradoxes that we experience around here sometimes ... two people in agreement on a basic issue may disagree on what some of the side issues happen to be, and this happens to be the case today.

"I think, because Mr. Murakami and the Department of Accounting General

Services have not moved on this project, the acquisition of the project, and because of the delay in the acquisition, it's going to cost the taxpayers several million dollars more. Had we started acquiring the parcel when the Ways and Means Committee, at our recommendation, allocated \$5 million to the Governor's capital improvement projects budget, and instituted eminent domain proceedings, we would have purchased that parcel, which is a logical purchase. First of all, this is perhaps the most logical acquisition on the part of the state for future use by the state for many types of activities ... parking, etc. And the acquisition, at that time, was needed, in my judgment, because the price would have gone up after the completion of the new judicial building, which is almost completed now.

"Sure enough, the price right now that Bishop Estate, the owner of the land, could commend is going to be millions of dollars higher. The delay in the acquisition is not one that I think could be blamed on Mr. Murakami. He happens to be the director of the department but he only takes orders from the administration. That's how simple this whole issue is. And, so, I feel that whatever the Governor's reason for delaying the acquisition and, incidentally, when we first went to discuss the possible acquisition of this parcel with the Governor he agreed. Subsequently, his mind changed for reasons not quite valid to me, and I expressed my disagreement with him. But to blame this delay, and we haven't acquired it to this day, on Mr. Murakami, perhaps, is not quite fair, in my judgment.

"For that reason, I would hope that this is not a reason for some of us to vote against Mr. Murakami."

Senator Cayetano responded: "Mr. President, as you can see, we are truly independent."

The Chair answered: "You're telling me."

Senator Cayetano then continued: "Mr. President, as I take my good friend Senator Kawasaki's remarks, he feels the blame should go higher. Well, Mr. President, unfortunately, I'm not sure I share that concern but the person who is responsible for the department happens to be Mr. Murakami.

"I suppose that if we follow Senator

Kawasaki's logic Mr. Yuen should never have been fired for the heptachlor problem. Of course, you can't fire his boss.

"The buck has to stop somewhere; it stops at the Department of Accounting and General Services. He's the one up for confirmation and I think that if you want to send a message to these department heads about the manner in which they do things, then you can help me do so by voting 'no.'"

Senator Kawasaki then added: "Mr. President, I just want to respond just briefly. If the good Senator, as he probably should be, is in a nonconfirming mood, there are some other confirmations that we have some very valid reasons for not confirming."

The Chair, at this time, remarked: "Members of the Senate, I just want to leave one note of caution. The Chair would like to say a few words but I don't think it's proper to do it at this time so I'll save my words for some later date. But, I do want to caution the Senators, that we stick to the nominations in and discussions and talk on the merits and demerits. I would like to caution you ... I know there are strong feelings that run through the Senate with reference to particular nominees and the Chair would just like to state that cautionary remark before we take up more confirmations."

Senator Cayetano responded: "Mr. President, do you feel my remarks were out of order?"

The Chair answered: "Well, I would put it this way ... that the inferences drawn from your remarks would indicate a train of thought which would lead other people to believe that there were things done not quite properly. I don't think that's the correct impression. That's the inference I got. I'm not sure ... I'm not trying to put words into people's mouths but the inferences, as I understand it. If you want to discuss the issue, I'm prepared to do so."

Senator Cayetano responded: "Well, I think that maybe we should discuss it publicly where the members of the Senate can make up their own minds as to who has the facts. I think I was pretty well-acquainted with the facts in that case. Certainly, I'm not sure whether Senator Kawasaki agrees with the inference that I raise. To me, it's no

inference that that particular parcel was cut out the way it was because it happened to house an influential political figure in this state. If You're telling me that's what I'm inferring, you're damned right."

The Chair answered: "Senator Cayetano, I don't want to take it to that level, but I think I ought to clear the record."

"As I understand your statement, you indicated that when this thing occurred I was chairman of Ways and Means; I wasn't the president at that time and wasn't responsible for it. But, subsequent to that, if I understand your statement correctly, you became chairman of Ways and Means and an appropriation was made to purchase the land before the actual construction of the building was started. If I remember the record correctly, I voted for the budget myself. So, I'm not sure just exactly what you're inferring."

Senator Cayetano responded: "I am saying, Mr. President, that that parcel was cut up here for political considerations, that's what I'm saying."

"Let me make that very, very clear ... you may think otherwise ... because a search of the record and the testimony given in that case and my discussions with the Judiciary and their plans indicated there was no other reason for the parcel to be cut up like that ... because after the parcel was cut up, the Judiciary had to redesign the whole complex."

"Now, if you can tell me what the reason for the parcel being cut up is, I'd like to know, because after five years in this body I still don't know."

The Chair answered: "Well, I think it would be incumbent for you, Senator Cayetano, to request that kind of information of the Governor. The money was appropriated. The intent of the Legislature was made known to the Governor by both House and Senate concurring in an appropriation of 'x' number of dollars to purchase that land in fee. I don't think it's proper to put it back on the lap of the Legislature."

"I think we did our job, we appropriated the money to correct whatever one might think is a problem. The releasing of the funds comes at the Executive level."

Senator Cayetano responded:

"Okay, I agree with you as to the subsequent action. I'm talking about the reasons for the parcel being cut up, Mr. President. I think that that has never been explained to the members of this body."

The Chair answered: "Well, I'm not sure that at the time the conferees met what the various reasons were. You might be totally correct in saying that it might have been some political consideration. You know, I'm not certain and I wouldn't swear at that time that that was the real reason. All I can say is that I think those kinds of things, Senator Cayetano, should be discussed at some other time. We should discuss the merits of the nomination before us. We should not draw some inference which the Chair felt were improper. It's just an opinion of mine and it may not represent the thinking of people in this building."

Senator Cayetano responded: "All right, the inference that I draw because this man is out for confirmation, Mr. President, is that had he been looking out for the public's interest, then that parcel, the money for that parcel should have been released."

The Chair answered: "That's the point that I want to make. Now, I can buy your arguments because I think you're talking about the acquisition and releasing of money to purchase and that's the point I wanted to make. Thank you very much."

Senator Abercrombie then remarked: "Mr. President, I have the impression from your remarks that you felt the previous speaker was referring to lack of legislative activity, even back perhaps as far as you were Senate Ways and Means chairman and I don't think that was the inference at all. If that's the meaning that you took, I think it was incorrect. I think that his final statement was in fact the thrust of his comments from the beginning."

The Chair answered: "But I think he clarified his stance, and I agree that the money was appropriated and it could have been released and the parcel could have been purchased. That's the point I wanted to make."

Senator Carpenter then added his remarks and said: "Mr. President, when I first came to this body in 1979, I took the occasion, at the beginning of the session year to walk across the street and to introduce

myself to Mr. Murakami, and in so doing I asked him if I could take a look at the EDP system, which I knew was located somewhere in the building. Mr. Murakami indicated to me that he wasn't exactly sure where it was at the time because he had not seen it. I decided, at that time, that I wanted to be the first guy to see it then and so I went downstairs, but I understand, since that time he has looked over the entire system with which he is charged the responsibility. And so with that assurance, I'm supporting his nomination."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Cayetano).

Standing Committee Report No. 918 (Gov. Msg. No. 231):

Senator Young moved that Stand. Com. Rep. No. 918 be received and placed on file, seconded by Senator Holt and carried.

Senator Young then moved that the Senate advise and consent to the nomination of Georgiana Padeken as Chairperson to the Hawaiian Homes Commission, term to expire December 31, 1986, seconded by Senator Holt.

Senator Young rose to speak in support of the nomination and stated:

"Mr. President, I rise to speak in support of this nomination.

"Mr. President, on April 11, 1983, your Committee on Hawaiian Programs held a public hearing on the reappointment of Ms. Georgiana Padeken. All of the testimonies, except one, were strongly supportive of retaining Ms. Padeken as head of the commission. Speaking on her behalf were representatives of Alu Like, The Hawaiians, Friends of Waimanalo, Waianae Valley Homestead Community Association, Waianae Hawaiian Civic Club, the Federal-State Task Force on the Hawaiian Homes Commission Act, from a trustee of OHA, from a member of the Board of Education, and native Hawaiians active in business.

"In addition, letters of support were received from the Native Hawaiian Association, Hawaiian Civic Club of Waimanalo, Paukukalo Hawaiian Homes Community Association, Panaewa Hawaiian Home

Lands Community Association, Council of Hawaiian Organizations, Hawaiian Civic Club of Honolulu, Keaukaha Panaewa Community Association, and many other individuals.

"These testimonies and letters describe Ms. Padeken as an individual who has, and I quote, 'served her people and the state with great integrity and caring,' who can be 'trusted,' is 'willing and able to assist' individuals and community groups, and 'brings to her job a strong' commitment. They also describe her as 'an excellent Director of the Hawaiian Homes and an extremely hard worker.'

"Ms. Padeken has done a remarkable job in restoring confidence in the department and developing grass roots support for its programs and activities. She has not only maintained the department's residential and agricultural programs, but has expanded services to the Hawaiian people. Among these new developments are the following:

1. The formation of a task force with representatives from Alu Like, OHA, and the Department of Hawaiian Home Lands to identify how these key agencies can coordinate their planning, programs, and staff. This task force illustrates Ms. Padeken's efforts to unify the Hawaiian community and to build in the collective strength of its people.
2. The department has completed an assessment of the aquaculture potential of Hawaiian Home Lands, identifying nine such sites, and recently submitted an \$850,000 proposal for an aquaculture park to the economic development agency. Among the thousands of proposals received, Hawaii's proposal was ranked first at the regional level.
3. There is now an economic development program in place. This program offers business consultation, training, and small business financing to native Hawaiian entrepreneurs.
4. The development of the new grants program, designed to enhance individual and community self-help efforts, provides technical assistance and grants funds.
5. The department now provides more technical assistance to homestead farmers and ranchers in order to strengthen their capabilities in the marketplace.

"Mr. President, Ms. Padeken has been successful in forging strong linkages with the Department of Hawaiian Home Lands, the Hawaiian people, and the community at large. There is now a cohesive and supportive relationship among these groups. She has recognized that Hawaiians must find solutions that are culturally appropriate. She has developed programs which promote the economic self-sufficiency of native Hawaiians. She has led the Hawaiian Homes Commission in a direction that acknowledges that the future of Hawaiians is tied closely to the future of the State of Hawaii -- that native Hawaiians have the ability, as well as the responsibility, to contribute to our society.

"Mr. President, I join the many individuals and community groups in endorsing Ms. Georgiana Padeken's reappointment to the Hawaiian Homes Commission and encourage the Senate to confirm her nomination."

Then, Senator Kawasaki rose to speak against the nomination and said:

"Mr. President, I rise to speak against confirmation of Ms. Padeken.

"Mr. President, one of the responsibilities that we have as Senators during this course of confirmation of department heads is our responsibility to separate fact from rumors, prejudices from what is sincere effort to improve operations of government, and I've tried to do this to the best of my ability.

"In my 16 years I have never had come to my office the kind of concern expressed in the possible confirmation of an appointee of the Governor as I have in this present case.

"I've tried to look at the complaints very objectively and I have come to the conclusion, and this is a difficult posture for each of us to take, it's easy to vote 'aye' on a confirmation ... you don't antagonize anybody, you don't hurt anybody's feelings. It gets to be awfully difficult if you consider in your mind valid reasons for you to vote 'no' because this is part of the responsibility that we have as Senators here. I have received information both verbally, people coming to see me regarding the operations of that very chaotic department ... in fairness to the nominee, that department possibly is the most chaotic department that we have of any agency under the state government agencies.

"I am going to enter into the records of the Senate Journal some letters I have received from very concerned people, and I commend these people who are very familiar with the operations of the Hawaiian Homes program. Some of these letters have come to me and I know some of the authors. In trying to respect the confidentiality that we should maintain here, I will not divulge any names, but these letters come from people who are sincerely concerned. It possibly was not easy for them to write letters of this sort to you, Mr. President, to the Governor, to some of us as Senators.

"Let me just enter into the records some of the concerns that these people have, which is all part and parcel of the information we should digest in order that we arrive at a very fair judgment of whether the nominee should be confirmed or not. Let me read a letter that has come to me, to my attention, and I quote: '... The present administration is a detriment to the proper administering of this Congressional program as they continue to accommodate the loud and radical minority, even to the extent beyond the law of government. Dangerous, careless precedents devoid of the true intent and purpose of the program which will undoubtedly increase the dependency of this program and of the native Hawaiian on government subsidies and handouts are being initiated and implemented almost daily. Exorbitant and unnecessary travelling expenditures resulting from ill planned, uncoordinated, and repeated travel has become routine.

"Record keeping and important documentation are at its worst, and is presently in a serious situation. Disrespectful and uncalled for harassment, and a continuous employee turnover have resulted in a very low, unhealthy, and dangerous morale problem.

"The present administration is misguided in its direction, and its priorities are in a mass of confusion. Dereliction of responsibilities has caused this integrity of the program to be at stake.

"After four years of this kind of performance, the next administration must unravel, clean up, and set straight the terrible mess before proceeding forward.

"Social workers are poor administrators for this program. They have difficulty saying "No,"

and, therefore, bend the law to resolve situations. They do not have the strength to stand firm to ... demands.

"We sincerely request your honest consideration for the benefit of those thousands of law-abiding and patiently waiting native Hawaiians to reap the benefits of this program."

"Let me quote another letter here: 'Dear Senator: We've been keeping tabs on the proceedings to reappoint Miss Georgiana Padeken as Chairman of the Hawaiian Home Lands Department and we didn't want to say or do anything as we didn't think that she would make it. Now it seems that she is trying to brainwash you people into believing that she is the best and qualified person.

"Miss Padeken is a very weak administrator who relies on ... others to tell her how to run her office. They take two and three hours for lunch, entertaining Ms. Padeken.

"The Hawaiian Homes Commission has been without a secretary since their regular secretary retired and she hasn't appointed them a regular secretary. The Commissioners want and need their own secretary but Miriam dictates to them. She lets someone else take Oahu meetings but arranges for herself for the outer island meetings so that she can visit friends and relatives at Hawaiian Homes expenses. She goes before the meetings and stays a few days after the meetings. If she doesn't like the Commissioners discussions or how they vote, she tries to pressure them into changing their votes and goes back to Miss Padeken to "tattletale." The Commissioners don't want to complain or testify because they feel that if elected, they'll have to work with her and relations would be strained.

"The morale of the Department's staff is so low that the turnover is very high. Miss Padeken asked the staff to sign petitions on her behalf so that she could possibly present it to you. There are members of her staff who refused to sign, who are afraid of repercussions from her and the others signed under duress."

"There's another letter addressed to Senators: 'As a constituent of (your) ... Senatorial District and an employee of the Department of Hawaiian Home Lands, I plead for your support in opposing the pending confirmation of (Miss) ... Padeken to Chairmanship of the Hawaiian Homes

Commission.

"As worthy a program is this 60 or so year congressional movement for native Hawaiians, Chairmanship requires one who is firm in the unwavering respect of law and order, strong in the courage of true and honest convictions, and courageous in fairness and equality to all. Unfortunately, the true and unpublished performance of the present Chairman and her immediate Department (subordinates) ... as witnessed and agonized by almost all of the Department's employees is frustrating and embarrassing. Some extremely valuable employees have left the Department due to very undesirable administrative demands and practices.

"Some areas of the program which are damaging are:

"1. Loan delinquencies - There is no definite effort to improve this serious area of concern. The future will continue and increase the Department's delinquency rate as less emphasis is placed on energetic attack of this major problem, and more attention is placed on disguising delinquencies by unacceptable loan restructuring, informal prolongation on farm loan collections as the Department expands its agriculture program with additional homestead leases awards and farm loans, and the eventual dissolution of the proven successful informal collection arrangements and justified Contested Case Hearings on loan delinquency. These actions only emphasize more the stigma of Hawaiian homesteaders not maintaining good credit because of not paying their bills.

"2. Personnel - Since when does the Deputy Director have the time to personally interview and select Clerk Typists for our Staff Services Office, an assignment which should be the responsibility of the Staff Services Officer? At the present time I would say the Department probably has more non-permanent employees than permanent employees, all due to the Deputy Director's decision and choice to hire with conditions to manipulate political moves. A number of the Department's contract employees are working beyond their contract termination dates without assurance of any kind of continued employment.

"3. Homestead Applications Waiting List - Since the close of the previous administration in July, 1978, this vital issue has resulted in a very serious and dangerous situation. The once

computed, regularly audited, and meticulously maintained waiting list has now become a complex, unaudited, mismanaged, and confused mess. The waiting list is no longer computerized but maintained by word processor in a system where the Department has already expended thousands of dollars to convert only to learn that the present system is no longer applicable to our needs, ...'

"These are the examples of the letters of concern written to us, and as I said, never have I in the 16 years I've been here had these kinds of concerns expressed on the telephone, in terms of letters, and personal conversations with me by employees who are career employees, good employees who are demoralized by the chaos that remains in the department.

"I was able to attend the hearing conducted by Senator Young and I appreciate her giving us the opportunity to question the nominee and in the course of questioning Ms. Padeken as to what she intends to do with some of the problems enunciated in the Auditor's report, I wasn't quite able to get the kind of answers I would have expected out of a person who was in charge of administering a department with all these problems for four years. I was not convinced that she had the kind of qualities I think that department needs.

"That department needs not an easy-going person that always has the door open to anybody who wants to complain ... this is not the kind of person I think we need. It's one thing to be good-natured and very accommodating if people want to talk to you, but what that department needs is someone who is a good, capable administrator, capable of attracting competent people to attend to some of the problems that have been existing for many, many years. We need somebody strong enough to say no. We need someone to be eminently fair and just in decisions, because decisions made by the director affects many people ... their ability to get land, their ability to get homes, home loans, affecting their families.

"It just seems to me, and I think I suggested that in the Majority caucus with the Governor, perhaps the nominee should be placed in some other position that her personable qualities might be an asset, but that was not a quality which is the prime requisite in this particular case.

"On the basis of complaints I've also received with people very familiar with the operations of the commission in the past, I am concerned that she has not provided the kind of leadership that I expect of the chairman of the Hawaiian Homes Commission.

"In effect, in my judgment, she has manipulated in the past, what seems to me from the information I've received, people who were not the strongest type of individuals to do a good job as Hawaiian Homes commissioners. She has manipulated people who are willing to go along, not rock the boat, and people who did stand up to what they considered not in the best interest of Hawaiian people who served as commissioners were practically isolated, if you will, and pressure brought upon these people to conform according to the director's wishes and her ideas. All of this, I think, is reflective of the kind of leadership that is not wanted in that difficult agency.

"For these reasons and many other reasons related to me, and time will not permit me to go into the details of it, I think that we would be doing the Hawaiian people of this state a favor by seeking an individual that has the kind of qualities we want to direct the department. We owe the Hawaiian people no less."

Senator Young, in support of the nominee, then added: "Mr. President, I too received those letters that were mentioned by Senator Kawasaki but, alas and sadly, my letters were not signed. They were all unsigned.

"And, Mr. President, to my understanding, in the Polynesian culture of Hawaii the 'haku' or the leader of a 'ohana' did not use dictatorial style in leadership, but subjected himself to the advice and opinion of all other members concerned, exercising humility as a leader. The 'haku' seemed to be revered. The same kind of quality, that of humbleness, can be seen in Georgiana Padeken's style of leadership, as was mentioned by the constituents on Monday, April 11th's hearing.

"The kinds of feelings that Padeken projects, especially that of humbleness, are very important in making the Hawaiian community a cohesive force. Padeken's style of leadership allows for group decision-making process that is central to the Hawaiian culture and

the 'ohana' concept."

Senator Abercrombie then said: "Mr. President, I would like to set an example, if I may, for my history because I think that this advise and consent procedure may not prevail necessarily on the merits or demerits, and I would like to remind the body as to what it is that we're doing.

"We have a history, my friends, we have a history in this country and the Senate, both in the Congress and in the state legislatures, a duty that evolves out of that which goes back to Sparta, goes back to Athens, goes back to deliberative bodies who were chosen by the people in various circumstances in both city states and on with the founding of our country. Now, I'd just like to read a portion to try to remind us as to what we're supposed to be doing here today. Before you make your decision, I hope you will think of it."

The Chair then asked: "Senator Abercrombie, the Chair would like to inquire as to whether you are speaking in favor of the nomination or against the nomination?"

Senator Abercrombie answered: "Mr. President, I'm in the process of making a decision."

The Chair then stated: "The reason I ask, Senator Abercrombie, I think it will be appropriate for the members to find out your feelings and then perhaps receive an explanation of what the process is about. I think that is germane and proper."

Senator Abercrombie answered: "That is germane, Mr. President, and I'm in a bit of a dilemma in answering you because I'm trying to make up my mind, and in doing so I'm trying to remind myself as to what I'm supposed to do, and I see the arguments going back and forth here.

"As you know, in the past, with advise and consent have resorted to the Federalist papers because I think they make the most cogent explanation as to what the duty of the Senate is, and I would just like to read a very short portion of it for the benefit of yourself and others who may not have made their minds up as this moment."

The Chair allowed Senator Abercrombie to proceed.

Senator Abercrombie then continued: "Thank you very much, Mr. President.

"I'm referring to, and I'm quite serious, by the way, Mr. President ... I have been reading through The Federalist papers. With respect to the Senate, there are several issues. The one that I think is most pertinent or a portion of it is most pertinent to our deliberation is Number 65, written by Mr. Hamilton: 'The remaining powers which the plan of the convention allots to the Senate, in a distinct capacity, are comprised in their participation with the executive in the appointment to offices, and in their judicial character as a court for the trial of impeachments.'

"May I interject, Mr. President, that the references as to the trial of impeachments are referred to throughout the rest of the document with respect to the powers of the Senate in the same manner in which appointments to office are considered.

"As in the business of appointments the executive will be the principal agent, the provisions relating to it will most properly be discussed in the examination of that department. We will, therefore, conclude his head with a view of the judicial character of the Senate.' That is what, in fact, we are called upon to do, I believe, Mr. President, is to come to that kind of judgment.

"A well-constituted court for the trial of impeachments is an object not more to be desired than difficult to be obtained in a government wholly elective. The subjects of its jurisdiction are those offenses which proceed from the misconduct of public men, or, in other words, from the abuse or violation of some public trust. They are of a nature which may with peculiar propriety be denominated POLITICAL,' and that is in capital letters, Mr. President. I think it's the only time in the entire Federalist papers that that word appears in that manner. 'as they relate chiefly to injuries done immediately to the society itself. The prosecution of them, for this reason, will seldom fail to agitate the passions of the whole community, and to divide it into parties more or less friendly or inimical to the accused. In many cases it will connect itself with the pre-existing factions, and will enlist all their animosities, partialities, influence, and interest on one side or on the other; and in such cases there will always be the greatest danger that the decision will be regulated more by the comparative strength of parties, than by the real demonstration of innocence or guilt.

"The delicacy and magnitude of a trust which so deeply concerns the political reputation and existence of every man engaged in the administration of public affairs, speak for themselves. The difficulty of placing it rightly in a government resting entirely on the basis of periodical elections, will as readily be perceived, when it is considered that the most conspicuous characters in it will, from that circumstance, be too often the leaders or the tools of the most cunning or the most numerous faction, and on this account can hardly be expected to possess the requisite neutrality towards those whose conduct may be the subject of scrutiny.

"The convention, it appears,' referring to the Constitutional Convention, 'thought the Senate the most fit depository of this important trust. Those who can best discern the intrinsic difficulty of the thing, will be least hasty in condemning that opinion, and will be most inclined to allow due weight to the arguments which may be supposed to have produced it.

"What, it may be asked, is the true spirit of the institution itself? Is it not designed as a method of NATIONAL INQUEST into the conduct of public men? If this be the design of it, who can so properly be the inquisitors for the nation as the representatives of the nation themselves? It is not disputed that the power of originating the inquiry, or, in other words, of preferring the impeachment, ought to be lodged in the hands of one branch of the legislative body. Will not the reasons which indicate the propriety of this arrangement strongly plead for an admission of the other branch of that body to a share of the inquiry?"

"The paper goes on to compare it with Great Britain and points out very clearly that it is in the interest of the body politic to have this power vested in the Senate.

"Where else than in the Senate could have been found a tribunal sufficiently dignified, or sufficiently independent? What other body would be likely to feel confidence enough in its own situation to preserve, unawed and uninfluenced, the necessary impartiality between an individual accused and representative of the people ...?"

"It goes on then to point out that the Supreme Court could not have this same situation, but rather the

Supreme Court would have the same situation applied to it as to the House of Representatives.

"Those '... considerations seem alone sufficient to authorize a conclusion, that the Supreme Court would have been an improper substitute for the Senate, as a court of impeachments. ...'

"Would it have been an improvement of the plan to have united the Supreme Court with the Senate, in the formation of the court of impeachment? This union would certainly have been attended with several advantages; but would they not have been overbalanced by the signal disadvantage, already stated, arising from the agency of the same judges in the double prosecution to which the offender would be liable? ...'

"The whole thrust of the argument, Mr. President, then is that the United States was divided into three branches of government for good reason and that the conferring of affirmation on the appointment of the executive was given for good reason to the Senate because it was in the Senate with its longer terms that it was felt that there would be sufficient independence to make a judgment not based on faction, not based on partiality, not based on influence, but on the independent judgment which was to be rendered by that body. It also makes clear that the Senate had a high calling that respect and that to abuse that high calling for partiality based on convenience would be to undermine the Constitution.

"The conclusion that I reach from it is that regardless of how well the Constitution is written, unless and until the members of the Senate for whom the power is granted in the Constitution to affirm the nominations of the executive, unless and until they exercise that authority and that obligation in a manner consistent with the public purpose, the Constitution will fail.

"Therefore, Mr. President, while it has been viewed, I should say, by some that nominations and affirmations are in effect rubber-stamping and in effect take place without much in the way of discussion or the discussion becomes proforma. I hope that today, especially with the importance of this nomination as enunciated by the chairman of the committee and in some of the remarks of previous speakers that we will take into

account who is it we serve with this nomination, either affirmatively or negatively.

"We serve not ourselves, not those who are in ostensible power because that can wax and wane as we well know, but rather we are to serve the interests of the people of this state and particularly the beneficiaries of the power of the Hawaiian Homes Commission."

Senator Fernandes Salling then stated:

"Mr. President, I rise to speak against this nomination.

"Until now, I have tried to refrain from making statements about the matter before us, or commenting extensively on my review of the Department of Hawaiian Home Lands and its programs. The exception to this was my amendments to the Senate draft of the executive budget which I proposed on the day before Good Friday.

"While there may have been other matters which clouded the debate on the worthiness of these programs, it should be clear by now that the amendments proposed were the result of my review of the programs of the Department of Hawaiian Home Lands. These amendments were the result of my good faith effort to critically examine this agency and its ability to fulfill its mandate - to guarantee to the Hawaiians the use and enjoyment of their lands. My responsibility as chairman was to assure that the native Hawaiians, the beneficiaries of this program, would receive every benefit to which they are entitled and which the State of Hawaii is able to provide.

"My review included all audits which have been done on the department, extensive discussions with its commissioners and staff, and others affected by its programs, personal visits to each island and inspection of proposed projects, and public hearings on important issues. I began raising questions about the direction and policies which have been pursued by the department during the last four years and what this would mean for the next four years. Increasingly, I became more concerned whether the present administration could provide the leadership needed to make programs more effective and the delivery of services more efficient. This is what I believed to be the central task of the Legislature during its 1983

session, especially the Senate which will act on the nomination of the director of the Department of Hawaiian Home Lands.

"In this regard, I must address a particular point that has concerned me about the nomination before the Committee on Hawaiian Programs which I chaired. There has been considerable comment in the media and throughout these halls about my alleged reluctance to hold a hearing on this matter. Let me simply say that the consideration of Miss Padeken's nomination was an integral part of the committee's work during the 1983 session. Our full examination of the programs, practices and the administration of the Department of Hawaiian Home Lands was the foundation for our serious consideration of her performance as director. When a hearing was held, we would have been in a better position to judge Miss Padeken's performance of the past four years and whether her confirmation for another term was merited.

"The events of the past two weeks, however, changed the course of action that the Senate has taken on this matter. At this time, I feel that as the Senator who has been most concerned about the Hawaiian Homes program during the 1983 session, I should report to this body my findings as the chairman of the Committee on Hawaiian Programs.

"It is my hope that the remarks I make today can be utilized as the criteria that the Legislature can use to measure the progress of the department during the next four years. What I will outline can serve as an agenda for the Department of Hawaiian Home Lands, and its major projects and problems it must address. If this is done, great strides will have been made in meeting the needs of the Hawaiian people.

"During the next four years, we must ask the following questions:

"First, has the department finalized an accurate and complete inventory of all Hawaiian Home lands. Lands originally set aside by Congress were designated by the number of acres only. No metes and bounds descriptions or other survey information or maps were provided. There are major discrepancies in acreage for lands in Anahola, Kalaupapa and Lualualei as well as significant differences in the Island acreages, i.e. Kauai's 722 acres;

Molokai, 585 acres. The basic system for the land inventory are tax key maps to which handwritten adjustments have been made by the Department of Hawaiian Home Lands personnel without explanations for these adjustments or any reference to support documents."

"Second, has a sound fiscal management system been established for the Department of Hawaiian Home Lands? It is critical that this be done since our own Legislative Auditor has concluded that the department's records are inaccurate and unverifiable and not in an auditable condition. Complete financial statements for all departments funds are not being prepared and the last complete financial statement located was for the fiscal year ending June 30, 1972. The department's cash management has not been effective. For example, large cash reserves were being maintained in noninterest bearing accounts and during a nine-month period ending February 28, 1982, it was estimated that \$170,000 in interest was lost. Those monies could have provided three to four new homes.

"Third, has the department and commission made the improvements needed in procedures used to compile and maintain the eligibility lists? The department recently admitted that the waiting list for Kau on the Big Island had been lost and there were people who had been waiting for a lot since 1956, believing they were listed somewhere on a statewide eligibility list." Today, there are over 7,000 people on the waiting list and some have waited for as long as 30 years. Since June of 1981, the department has not complied with its own rules and notified applicants who have filed whether their applications had been approved. There is no system to assure that all applications have been accounted for or that some applications have not been lost.

"Fourth, has the department taken the necessary steps to resolve the issue of lands withdrawn under Governor's executive orders (GEO) or proclamation? Of the 34 parcels withdrawn under GEO, there has been no concerted effort to resolve the problem except in two cases. We are dealing with lands being used by the state and federal governments for airports, schools, defense installations, parks, forest and game reserves. These are lands being used without compensation to the Hawaiian Home Lands Department.

The administration should establish a self-imposed deadline of one year to resolve the executive orders used by other state agencies and notify said agencies that the department will take possession of lands not licensed or leased within one year from the giving of said notice.

"Fifth, has the department prepared a long range plan to meet the needs of its beneficiaries to provide them the desired residential lots. As of June 30, 1981, 87 per cent of the native Hawaiians had applied for residential lots as compared to agricultural or pastoral lots. In preparing a plan, is it necessary for the department to provide fully improved residential lots with sidewalks, drainage, street lights, utility access, sewer and other facilities. These are policy decisions the department must make within the next four years.

"Sixth, has the department identified their revenue producing properties and proposed innovative methods to increase their revenues and thereby become more self-sufficient and less dependent upon the state for funds. The department should set a high priority on review of its industrial and commercial leases and compare their leasing and subleasing practices to those of the Department of Land and Natural Resources and the private sector to insure they are collecting comparable rents from their lessees. Has the department lobbied with our Congressional representatives to include Hawaiians under the Native American Indian Act and thereby qualify them for Federal Home Administrative Loan guarantee status for housing.

"Seventh, has a review of the personnel organization of the department been made and assistance solicited from other state departments in areas where expertise in the department is badly needed? The department's pay scale is such that the turnover rate is so high, continuity is lost in critical areas such as fiscal and property management.

"And, last, has the department's annual budget and CIP requests been thoroughly reviewed by the director and Hawaiian homes commissioners to avoid problems where funds are being used, for example, on Oahu, to appropriate \$1 million to literally cut grass in a Hawaii Housing Authority subdivision where all infrastructure has been completed and the only

thing left to be done is to clear the lots of weeds before they are awarded to native Hawaiians; on Molokai, where funds have been used to build a 'white elephant' community center now discovered as having \$450,000 construction defects after only being three years old and which center does not even house the department's area office but instead is being temporarily rented out to the state and County of Maui; on Kauai, where funds are being used to build a freeway in an agricultural subdivision; on Oahu, where monies are being used for gravity lines without first checking with the City and County of Honolulu and the Department of Health where it was found that funds are available to the Hawaiian Home's Department to cover costs of sewer lines, and as a result no request for CIP in 1983 is necessary.

"I bring this to your attention once again, very briefly only to illustrate the department's real need for help from other state agencies and from this Legislature to guide and direct them in these areas.

"What I have outlined is an agenda that faces the Legislature and this administration in the Hawaiian homes area. They are serious problems which desperately need attention in the next four years, and their satisfactory resolution will be the basis for us to judge the performance of the department in the future. Let us remember that our responsibility in consenting to this nomination also requires our continued evaluation of the director's performance throughout her tenure. Our duty lies in assuring that the programs we establish in the Hawaiian homes area do not become inefficient and fail to fulfill the rightful expectations of those Hawaiians who are entitled to benefit from them.

"In closing, let me offer Miss Padeken my very best wishes. While we may have differences, her success in addressing these concerns will mean a substantial improvement in the administration of this department. If this does happen, I will be the first to offer my heartfelt thanks and congratulations on a job well done."

Senator Solomon then rose to support the nomination and stated:

"Mr. President, the chairman of the Hawaiian Homes Commission has the difficult task of directing a very complex organization -- financially and programmatically -- an agency which serves a broad and diverse

clientele group. No matter how stunning her performance, there are bound to be detractors. Many of the criticisms directed at the present chairman relate to problems of a long-standing nature ... criticisms which have been leveled at all previous administrators of the Hawaiian Homes Commission. There is no denying the fact that some of the problems of the Department of Hawaiian Home Lands are serious and need resolution, but these problems are very complex and need adequate resources and personnel before they can be laid to rest.

"For example, the audit report of the Inspector General of the United States Department of the Interior estimates that it will take over 50 years and over \$600 million to satisfy the applicants on the present eligibility list for homestead lands. Although the problems of the Department of Hawaiian Home Lands have recently been highlighted by the Inspector General's report, many of these problems have been "inherited" from previous administrations and require immense effort and resources to right, but the budget and staff of the department have remained stable during recent years.'

"Following the Inspector General's report, the Federal-State Task Force on the Hawaiian Homes Commission Act (HHCA) was established by the U.S. Secretary of the Interior and the Governor of the State of Hawaii. The purpose of this group is to conduct a comprehensive review of the act and the programs carried out under the act. The mission of the task force is to make recommendations to the Secretary and the Governor on ways to better effectuate the purposes of the Hawaiian Homes Commission Act and to accelerate the distribution of benefits to the beneficiaries. One of the findings of the task force is that the 'Hawaiian Homes Commission and the Department of Hawaiian Home Lands have made significant strides in carrying out the purposes of the act in the past several years. A shortage of funding and personnel will continually hamper their efforts to meet the needs of the beneficiaries, especially as demands for land and housing continue to increase.'

"The task force has stated that 'the Department of Hawaiian Home Lands has made outstanding progress in carrying out its programs under Ms. Padeken.' The task force further stated that 'under her administration the commission and the department

will continue to make progress and the beneficiaries will be served.'

"I feel strongly that we should look at the record of Miss Padeken and take that into consideration. I feel that it's very important for the Hawaiian community to be able to move in a solid and cohesive direction. I was formerly with the Office of Hawaiian Affairs and initially had expressed my concerns about Ms. Padeken, but after sitting at the hearing conducted by the now chairman of Hawaiian Programs, Senator Young, would like to support the chairman's position and recommend to this body to take into serious consideration Ms. Padeken's confirmation. Thank you."

Senator A. Kobayashi, although in support of the confirmation, stated: "Mr. President, I'll be voting for the nominee with the hope that improvements will be made to the department."

"After sitting through many hearings under the very capable leadership of the Senator from Kauai, I was just astounded that the financial records of the department could be in such a mess. However, I've been assured that changes are being made and will continue to be made, and I'll be voting for the nominee and I'll also be looking for those changes. Thank you."

Senator Kawasaki then added: "Mr. President, whatever the outcome of the vote for confirmation, I think perhaps a note of admonition is in order here that in the future that this Senate, in its confirmation of commissioners, commissioners to the Hawaiian Homes Commission, exercise great care and judgment in the quality of the commissioners who are actually the board of directors of the department. We should keep that in mind, perhaps, even with weaknesses in the director, perhaps, a good, intelligent, objective commission could help to alleviate some of the problems that exist in that department."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Abercrombie, Cayetano, Fernandes Salling and Kawasaki). Excused, 1 (Carpenter).

At 1:28 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:33

o'clock p.m.

At this time, Senator Abercrombie rose on a point of personal privilege and stated:

"Mr. President, I'd like to rise on a point of personal privilege."

"Mr. President, accounts from members of your conferees on the budget, accounts in the media, both linear and electronic, indicate that the budget is still in the progress of negotiation and that in particular some items have not been settled, or major portions of items have not been settled with respect to capital improvement projects."

"Mr. President, I received an indication by way of memo from the Ways and Means Committee with respect to capital improvement projects in the Eleventh District. I was quite surprised to receive it. I had no knowledge that such a thing would be done, other than accounts which appeared again after the conference began about these capital improvement projects by districts. It was very disturbing to me, especially with respect to those items which might appear in the education budget, and as a result I tried to formulate in writing ... I thought the chairman deserved something in writing, and inasmuch as the conference is not concluded, Mr. President, I would like to read my reply into the record in the hopes that it may influence positively the budget process."

"I must decline your invitation to provide you with a list of capital improvement projects for the 11th Senatorial District. To do so would run counter to the platform upon which I first ran for office. In my judgment, it also undermines the position taken by the Senate of focusing on statewide concerns in a manner consistent with the public purpose."

"We all know that one of the reasons for the 1978 Constitutional Convention mandated a 3-year limit on CIP items was because of the practice of filling the books with "pork barrel" projects which had little or no chance of funding. Such projects open the door to accusations of irresponsibility and favoritism. They foster an image in the public mind of legislators as wheeler-dealers who disregard even a semblance of merit when piling these projects into the books."

"Pork barrel projects have a particularly devastating effect on

education. I have tried to work within a framework where the executive body of the state-wide education system, the Board of Education, sets the priorities on a basis not of individual political districts but educational needs regardless of whose district it is in which the project will be implemented.

"A glance at the record will show the overwhelming majority of pork barrel projects were associated with the schools -- completely subverting the intent as well as the efficacy of a state-wide system. They were an insult to the Board of Education which was doing its best to represent the needs of the schools rather than the desires of individual politicians.

"Obviously, the BOE is not beginning and ending of wisdom in this area. The legislature has the final say and we have extensive public hearings to clarify the priorities within the context of available funding. The latter factor is a crucial one inasmuch as BOE requirements and the ceiling for projects are often at wide variance.

"I have always tried to balance the BOE priorities and the public input in such a manner that all concerned felt they were being treated fairly. If not everyone was happy with respect to a project in which they were interested no one thought themselves discriminated for or against in the process.

"I have just been through a grinding series of hearings at which I told people the budget for the DOE was to be cut by at least 21 million dollars. Interest on CIP comes from the operating budget. I worked very hard with the WAM Committee to stay within the operating budget and CIP ceilings given to me.

"Now, I find that while DOE programs and personnel must bear the brunt of the cuts, you are allowing legislators between 250,000 and 350,000 dollars each for whatever pet project they might wish to indulge themselves in.

"Such activity will simply turn the budget process into a shark feed with little or no concern for how it affects programs. How is it possible for us to tell the public we must cut because there is no money and suddenly without consultation find millions of dollars for ourselves?

"How do we square pork barrel projects with the Senate Program we

ostensibly support? All of the projects I was forced to submit in the so-called omnibus bill at the beginning of the session were connected directly to activities which promoted the Senate Program in terms of subject matter committee focus. I claim no particular virtue in this. I feel that such an approach is fundamentally good politics with a practical aim of giving the public clear sense that we are looking out for the needs of the state as a whole. If one or more of these projects fall in a particular district so be it. As long as it or they can be openly defended on the basis of selection within the framework of a state-wide plan of action credit will accrue to all parties to the decision.

"The alternative is to turn the legislature into a begging body camping outside the Governor's door hoping to get whatever crumbs can be gleaned from the executive expenditures table. It not only allows but virtually dictates to the Governor that he or she will have to cite a profligate legislature which put far more spending on the books than was possible for funding as the reason why projects had to be held back.

"In other words, we are marching backwards, going back to all the bad past practices which some of us have worked nearly 10 years to erase.

"Therefore, if the 11th Senatorial District has projects which will fit into a pattern of spending consistent with fairness and equity with other districts and such projects can reasonably be expected to commence within the constitutional time limits I would be happy to sponsor their passage.

"Inasmuch as no such process is involved here and it appears instead that S.B. No. 4 amounts to little more than political list-making for campaign purposes -- purposes which will no doubt be pointed out by opponents in elections to come -- I will not be submitting any projects for your consideration.

"I feel, in conclusion, that this issue is indicative of the problems we have experienced this year. There is a basic philosophy of government at stake here. I trust my point of view is clear on the subject. I feel very strongly that failure to address the concerns I've expressed will have serious repercussions in time to come when the voters realize that we are regressing in this area and that they

and their children are the losers."

"Thank you."

Senator Kawasaki then added: "Mr. President, in view of the fact that we have the conferees to the budget conference struggling with the great task of arriving at some sensible, defensible appropriations figures, might I suggest to these conferees that they take two minutes out of their busy schedule to read an article in the morning paper regarding an evaluation list conducted by the deans at the University of Hawaii, and perhaps because most of us are not familiar as the former chairman of the Higher Education Committee is with UH programs. I think particularly if we are conferees to the budget conference, it behooves us to read that list for evaluation.

"The article reads, 'Academic deans at the University of Hawaii's Manoa campus have completed a rare -- and unsolicited -- evaluation of the "relevance" of each UH-Manoa academic program to the university's overall missions.

"The evaluation's authors say it is a rating and not a ranking, that it is not intended to suggest where UH funding should be reduced if not eliminated, and that it is not an indication of which programs are desirable and which are not. But UH-Manoa faculty members are taking the evaluation as all of these things.'

"Now the deans further go on to say, 'We see ourselves as part of the UH administration, and we felt this was a worthwhile project in that the university faces several years of budgetary constraint,'" said one dean.'

"'Unless chaos is going to prevail, unless programs are going to survive or die purely for purely political reasons, the university has to ask itself what its major missions are -- and then spend its limited funds accordingly.'"

"And I note with certain amount of delight that some of the programs at the campus that I rated rather low happens to fall in Category IV list of priorities and let me just for the edification of the members of the conference committee in their allocation decisions, just listen to some of these lists.

"Category IV, the lowest rated programs include: 'the Freshman Seminar Program, the Honors

Program, population studies, the Waikiki Aquarium, ethnic studies, women's studies, the Center for Labor Education and Research, and the Industrial Relation Center ... Hawaiian studies ... the Marine Option Program.'

These are the programs listed in Category IV and I take Category IV to mean perhaps this is the least justifiable programs in this time of constraint and perhaps it behooves the conferees to keep the deans' list on mind ... those people, the 20 deans who are most conversant with the value of the programs and its conformance to the University of Hawaii's mission."

Senator Cayetano also rose on a point of personal privilege and stated:

"Mr. President, I'd like to make some comments on personal privilege.

"Mr. President, while the budget conferees have been working hard, trying to negotiate the budget, I have been doing some work, also burning the midnight oil and attempting to, with the information available to me, make some sense out of the financial plan that will be followed by the budget conferees.

"After due consideration, I'm a bit concerned because it is my understanding that the balancing of the budget is predicated on the receipt of about \$70 million in liquor taxes from a case which was recently ruled on.

"The question that I have is, what is the plan if, as expected, the ruling is appealed and that \$70 million does not come in? It is my understanding that the \$70 million will be relied on for spending in the first year of the biennium. Does that mean then that the Governor will have to make seventy ... actually I understand that if it's appealed the deficit will be closer to \$90 million ... does that mean that then in such a case the Governor will be allowed to make \$90 million in cuts, or does that mean that the Legislature will come back in special session to raise taxes? I would like to pose this question to the chairman of the Ways and Means Committee."

The Chair asked: "Mr. Chairman, will you yield to a question?"

Senator Yamasaki replied in the affirmative and said: "Mr. President, I would just like to say, in answer to

the question, that we are still in conference. The financial plan is also a subject of the conference and it's premature for me to make any statements regarding the budget and the conference."

Senator Cayetano continued: "Mr. President, of course, some of us are not privy to the conference. I frankly don't see what is premature about explaining the financial plans since one should have the financial plan ready, going into conference so that one can adjust the appropriations to the money that one has.

"I mean, this is done by housewives who budget, and certainly the Legislature should not be any different. I don't think it's any secret, Mr. President, that everyone from the Governor to the House and apparently the Senate, is relying on that \$70 million in liquor taxes.

"But the critical question, and it was raised by Senator Henderson of the Minority, the critical question is what do we do if the money doesn't come in because it appears that there is a very high probability that that will happen. Does the Senate leadership have a plan in terms of a special session to increase taxes?

"Is there any plan with respect to the manner in which the Governor will proceed then to make cuts in lieu of us raising taxes. I think those are legitimate questions, hardly premature. The answers to those questions should have been sought out before going in to conference. So, I would like to ask the chairman, again, if he would reconsider?"

Senator Yamasaki responded:

"Mr. President, in answer to the question posed by the Senator, I'd just like to say that you will recall that this body considered Senate Bill 1464, a measure to raise revenues by one-half percent, and this was in anticipation of a shortfall in revenues should certain things happen.

"And as you know, the statutes provide in Chapter 37-69 and under Chapter 37-71, the administration, the executive is also required, should expenditures exceed resources, that the executive is also required to come up with some measures to provide for some revenues to balance the budget ... the requirements of the state.

"With that kind of statute that we have, the chairman of your Ways and Means Committee has considered the

necessity to look into the possibility ... and with that in mind introduced a measure that would provide for some revenues should there be some shortfall. As you know, there was quite a bit of opposition to this measure and you, yourself, spoke against the bill; and you, yourself, said to the newspapers ... you were quoted that revenues have to be raised in this session and you introduced some measures to that effect. These are facts.

"Also, you will recall that on March 21, one evening I met you and another Senator on the elevator and one of the statements you posed to me was, if we can raise revenues through taxes, won't we be able to fund many of the programs? I said, 'I guess so,' and I clearly remember that."

Senator Cayetano then said: "Mr. President, it's true I said that but he's not answering my question. My question is, are we going to go into special session to increase taxes?"

Senator Yamasaki interjected: "Mr. President, I still have the floor."

The Chair replied: "Yes."

Senator Cayetano then said: "I'm sorry, I apologize, go ahead, finish."

Senator Yamasaki continued: "And with that question that you posed to me, I said, 'I guess so,' and with that I rode down the elevator together with you.

"After careful study and after reviewing what you had introduced and others had introduced to raise revenues in this year's session, I felt that after reading the statutes, Chapter 37, I felt that it was incumbent upon us, upon myself, to introduce some kind of measure as a standby measure, just in case there is a necessity to meet any kind of shortfall, and that was the reason for Senate Bill 1464. That was the plan that I had, to take care of any kind of problem that may arise and the concern that you now have on this subject. Thank you."

Senator Cayetano then said: "Mr. President, I'm not sure he answered the question.

"My question went to what is our financial plan at this particular juncture.

"First, let me clear up what happened at the very beginning of

this session. I think all of us, Mr. President, ... I introduced a bill for a tourist tax; I think you did also. There were some measures to raise money by a lottery which I think you were pushing. And all of those measures died. So our attempts to raise revenue failed. There was a Senate bill which would increase the excise tax by a half percent and that, Mr. President, from all of the reports that I get, including your public statements, apparently is dead also because the Governor has said that he will not go for any tax increases and the House has staked out the position that there will be no tax increases also.

"My basic concern, Mr. President, is that I would like to know, given those facts, given the fact that the Senate bill apparently is dead, that the bill to raise money via the hotel room tax is dead, that the lottery is dead, that all those measures are dead ... I get back to the financial plan with which this budget is being made. If that \$70 million does not come in, I would like to know what are we going to do? That's the point that I'm trying to get at. The chairman seems to be talking about apples and maybe I'm talking about oranges. I think it's a legitimate question. I'm not sure he's answered the question.

"It seems to me that if there are no tax increases, if we do not come back in special session to increase taxes, then the only alternative for the executive is then to make cuts. And if we are talking about \$90 million, and I think that that figure is correct ... Senator Henderson gave it to me during the recess ... are we then saying that we are giving the executive carte blanche to make \$90 million worth of cuts? I think those are legitimate questions.

"I think that those answers should be answered prior to wrapping up the budget.

"Mr. President, I did some analysis of the Council on Revenues projections and to tie this in to my concern about the \$70 million being held up by an appeal, let me also say that I'm not confident at all, having analyzed the Council on Revenues projections which we take into account when we make up our financial plan. I'm not confident at all that the revenues will be coming in as expected.

"For example, the estimated fiscal '83 increase by the Council on

Revenues tax revenues is 8.2 percent or \$81.5 million over fiscal '82. That sounds pretty good, Mr. President, but when you take a look at it, when you break it down, you find that of that amount, of the \$81.5 million million increase, approximately \$60 million dollars or nearly 75 percent is from the reduction of the \$100 tax credit to \$25. In other words, the true growth in revenue, and that's what we're interested in, the true growth in revenue for that fiscal year is only 21.5 million or about 2 percent over fiscal '82. Certainly, budgeting, once you consider this and not just look at the 8.2 percent as being somewhat magic.

"Now, I also talked to Mr. Freitas about the 8.2 percent and the figures so far indicate that after nine months, after the March revenue take came in, tax revenues have increased only to 4 percent of the 8.2 percent.

"Now, let's go further down and look at fiscal '84. The Council on Revenues estimates a tax revenue increase of 6.2 percent or 67.4, more than expected in fiscal '83. At first glance, this 6.2 percent increase appears conservative and it appears that we can make it but when you look at the 8.2 and you realize that only 2 percent is true growth, then the question is whether we can, in fact, make the 6.2 percent.

"Well, where has most of the increase come from, for example, in the 2 percent increase in revenue over '82? Tourism has held up better than we expected, Mr. President, and the reason for that is that because of deregulation and other factors there has been a dramatic decrease or reduction in air fares. But just a couple of weeks ago the airlines announced that airfares will go up again and the increase will be substantial.

"Moreover, as much as I hate to admit it, on the national level President Reagan has been somewhat successful, at a tremendous cost of course to the social fabric of our country, in fighting inflation.

"Those who understand the effect that inflation has on the excise tax base that we have know that as inflation goes down our tax revenue take will decrease. There is a direct correlation there. So all I'm saying is that these things should be taken into account and so I was looking for some answers.

"Moreover, there are other factors

that we have to consider. Let's take, for example, the highway fund. Now, a couple of years ago the executive predicted that the highway fund would be in trouble, so what was done ... the 4 percent general excise tax that's paid on gasoline was diverted from the general fund into the highway fund. This was supposed to be temporary and I think the figures was about \$20 million a year. Next year that is supposed to drop dead.

"In the financial plan at the present time, it is my understanding that for the second year of the biennium the \$20 million that is expected to return from the highway fund is counted. Now, if that is the case then we will have a problem with the highway fund. Why? Well, my calculations indicate that if the diversion of the revenue from the 4 percent general excise tax into the highway fund does end next year, the highway fund will probably be able to be solvent for one additional fiscal year; but in the following year, because of planned expenditures, because of the warm body policy, because the highway fund at the present pays almost 50 percent or half of its revenues to debt service, my analysis indicates that there will be a \$38 million deficit in the highway fund. If that's the case, then, the gasoline tax will have to be increased from 8½ cents per gallon to 20 cents per gallon.

"These things have to be taken into account. I thought I was raising some rather legitimate questions here. I would hope that if the chairman of the Ways and Means Committee doesn't want to answer them, then maybe his vice-chairman or the chairman of the Transportation Committee can address the concerns that I have about the highway fund..

"If we are going to rely on the money that was diverted to the highway fund for the second year of the biennium, then we face a deficit in the highway fund. If we are not going to rely on that, if next year we are going to extend the diversion of that money and continue it into the highway fund so that we can keep the highway fund solvent for a few more years, then somebody has to make up the \$20 million, and where's that money going to come from?

"I think these are legitimate questions which I would like to have answers to."

Senator Yamasaki, in response, stated: "Mr. President, in answer to

part of the questions raised by the previous speaker, although I don't pretend to be a financial wizard as the previous speaker, I have also considered the revenue projections of the Council on Revenues, and I have said this to the press, the newspapers, when they asked me, why did I introduce Senate Bill 1464. And, at that time in March, the Council on Revenues projections was 8.2 for the current fiscal year, the actual tax collections at the end of February amounted to 2 percent for the 8 months of the current fiscal year, and we lacked about 6 percent as compared to the projections of the Council on Revenues.

"Based on the collections, actual tax collections, I had some concern too. I felt that should this kind of condition continue to prevail for the rest of the current fiscal year and go into the next fiscal year, we may be in trouble, financially, and that something ought to be done. And for that reason, because there may be a shortfall, I told the press that one of my concerns was the shortfall in actual tax collections and, therefore, something had to be done. The standby tax measure must be made available should we need, should there be a necessity for us to lean on something.

"Also, on the question of the liquor tax, we have been informed that two of the three attorneys representing the liquor dealers decided not to appeal to the U.S. Supreme Court, so two-thirds of the money in escrow is now available to the state because no appeal to the U.S. Supreme Court would be taken.

"These are some of the information that are presently available and the basis on which the revenue measure was introduced for consideration for which this body supported by a vote of 14 to 11 and was passed out to the House for their consideration.

"So, there was serious consideration. Just as the previous speaker has said that tax collections were low and there were some concerns expressed by him also that, should tax collections continue to prevail in the manner it has, there may be some serious problems. These are some of the considerations that I gave in introducing a tax revenue measure in the latter part of March."

Senator Cayetano then said: "Mr. President, first of all, I don't claim to be a financial wizard. I think my staff person may be one but not me,

certainly, and believe me the information that I attempted to give out here today had to be explained to me over and over. So I don't claim any credit in being a tax expert of any kind. I raise these questions because I thought they were legitimate questions. I'm not sure whether the chairman got the gist of my question because he keeps on talking about the one-half percent tax and I think that's something that's bygone and gone.

"I would like an answer, for example, about the highway fund. Is he going to propose next year that the diversion of the 4 percent tax be continued? If not, are we prepared to make an increase in the fuel tax? With respect to the alternatives, it would seem to me that had we seriously considered the financial plan that we're talking about now, and I'm glad to hear the chairman did consider or does at least have the same analysis of the Council on Revenues projections that I do, at least for the first year, then, I think, the hard question would have been, do we make cuts? And, if asked, that would have been my preference, to make cuts rather than to increase taxes.

"But, all of the discussion that we had about increasing revenue and all of that was primarily because of the great concern that many of the members here had about making cuts which would affect the social services and human services, for example. I think my record here, Mr. President, indicates that I've never been afraid to make any kind of cut in the budget. I've always been of the view that the government is top heavy with fat and whenever I've had the chance, whether it has been with the Health Department or the Department of Planning and Economic Development, I have attempted to make that philosophy prevail in the preparation of my budget."

At this time, Senator Cobb then called the members' attention to Conference Committee Report No. 1 and stated:

"Mr. President, at this time, I'd like to direct the members' attention to Conf. Com. Rep. No. 1 (H.B. No. 274, H.D. 1, S.D. 1, C.D. 1), dated April 18th, most specifically, page 6, line 13 of the bill itself whereby the House, since this is a House bill, had inadvertently left in a bracket. A separate page 6 has been circulated for each Senator and is attached or should be attached to the bill. Since

the House has already corrected the error thus precluding us from doing a conference draft 2, I would simply like to call the members' attention to the corrected page 6 and request that the bill be placed on the calendar for 48-hour notice from today so that we would not be voting on it prior to Thursday."

The President, noting that there were no objections, so ordered.

Senator Cobb also called the members' attention to Conference Committee Report No. 11 (H.B. No. 915, S.D. 1, C.D. 1) and stated: "We have discovered some technical errors in there that do not involve brackets but actual words and, therefore, the request for recommittal of the bill was asked."

RECONSIDERATION OF ACTIONS TAKEN

Senate Bill No. 255, S.D. 1 (H.D. 2):

Senator Chang moved that the Senate reconsider its action taken on April 7, 1983 on S.B. No. 255, S.D. 1, H.D. 2, seconded by Senator Cobb and carried.

Senator Chang then explained as follows:

"Mr. President, this bill relates to firearms brought into the state. After deliberations, your conferees concluded that the House version of the bill was the preferable version and recommend that the Senate concur with the amendments by the House and place this bill on the calendar for Third Reading."

On motion by Senator Chang, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 255, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 255, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS BROUGHT INTO THE STATE."

In accordance therewith, the President discharged the Managers who were appointed on the part of the Senate.

Senate Bill No. 362, S.D. 1 (H.D. 1):

Senator Chang moved that the

Senate reconsider its action taken on April 7, 1983 on S.B. No. 362, S.D. 1, H.D. 1, seconded by Senator Cobb and carried.

Senator Chang then explained as follows:

"Mr. President, this bill relates to the enforcement program of the Department of Land and Natural Resources. Your conferees, after examining the amendments made by the House, concluded that the House version was the preferable version and recommend that the Senate concur with the amendment and place the bill on the calendar for Third Reading."

On motion by Senator Chang, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by House to S.B. No. 362, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 362, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT PROGRAM OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES."

In accordance therewith, the President discharged the Managers who were appointed on the part of the Senate.

Senate Bill No. 1092, S.D. 1 (H.D. 2):

Senator Chang moved that the Senate reconsider its action taken on April 7, 1983 on S.B. No. 1092, S.D. 1, H.D. 2, seconded by Senator Cobb and carried.

Senator Chang explained as follows:

"Mr. President, this bill relates to the Attorney General. Your conferees upon examination of the two versions of the bill, concluded that the House version was the preferable version and recommend that the Senate concur with the amendment and place the bill on the calendar for Third Reading."

On motion by Senator Chang, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1092, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1092, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ATTORNEY

GENERAL."

In accordance therewith, the President discharged the Managers who were appointed on the part of the Senate.

Senate Bill No. 993 (H.D. 1):

Senator Hagino moved that the Senate reconsider its action taken on April 7, 1983 on S.B. No. 933, H.D. 1, seconded by Senator Cobb and carried.

Senator Hagino then explained as follows:

"Mr. President, the original purpose of the bill is to allow an owner of Class A or Class B agricultural land to cultivate crops for personal or economic use. The amendment that the House made clearly indicates the personal use of the land, in addition to commercial ventures before agricultural pursuits. The amendment is a lot cleaner and defines the agricultural uses."

On motion by Senator Hagino, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 933, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 993, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE."

In accordance therewith, the President discharged the Managers who were appointed on the part of the Senate.

Senate Bill No. 756 (H.D.1):

Senator Aki moved that the Senate reconsider its action taken on April 7, 1983 on S.B. No. 756, H.D. 1, seconded by Senator Cobb and carried.

Senator Aki explained as follows:

"Mr. President, the House rewrote the bill by putting in an addition with a time limitation on this bill, the time limitation of one year."

On motion by Senator Aki, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 756, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 756, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FILM MAKING."

In accordance therewith, the President discharged the Managers who were appointed on the part of the Senate.

Senate Bill No. 907 (H.D. 1):

Senator Aki moved that the Senate reconsider its action taken on April 7, 1983 on S.B. No. 907, H.D. 1, seconded by Senator Cobb and carried.

Senator Aki explained as follows:

"Mr. President, no substantive amendments were made to this bill."

On motion by Senator Aki, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 907, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 907, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE."

In accordance therewith, the President discharged the Managers who were appointed on the part of the Senate.

Senate Bill No. 1075, S.D. 1 (H.D. 2):

Senator Aki moved that the Senate reconsider its action taken on April 7, 1983 on S.B. No. 1075, S.D. 1, H.D. 2, seconded by Senator Cobb and carried.

Senator Aki explained as follows:

"Mr. President, the House made minor changes to the bill, just requiring that copies be furnished to any person, on request."

On motion by Senator Aki, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1075, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1075, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

In accordance therewith, the President discharged the Managers who were appointed on the part of the Senate.

Senate Bill No. 418, S.D. 1 (H.D.

1):

Senator Uwaine moved that the Senate reconsider its action taken on April 7, 1983 on S.B. No. 418, S.D. 1, H.D. 1, seconded by Senator Cobb and carried.

Senator Uwaine explained as follows:

"Mr. President, basically, the bill accomplishes the same thing, that is, it renames the Kona Airport as Kona Airport. It'll do such that it will clear up any kind of misunderstanding that it presently has. The bill was introduced by Senator Henderson."

On motion by Senator Uwaine, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 418, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 418, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KONA AIRPORT."

In accordance therewith, the President discharged the Managers who were appointed on the part of the Senate.

Senate Bill No. 742, S.D. 2 (H.D. 1):

Senator Uwaine moved that the Senate reconsider its action taken on April 7, 1983 on S.B. No. 742, S.D. 2, H.D. 1, seconded by Senator Cobb and carried.

Senator Uwaine then explained as follows:

"Mr. President, this bill accomplishes two basic things; one, it simplifies the requirement for the deeming of a vehicle to be derelict; and, second, it requires an independent appraisal of a derelict or abandoned vehicle that is up for sale.

"Right now, we're in conference on this bill and there apparently is a House amendment that deletes a portion of the independent appraisal and it only accomplishes the first portion, to simplify the requirement for deeming the vehicle to be derelict.

"Rather than to see the bill die in conference, since it does accomplish some of the purposes of the bill, I'd like to have the Senate agree to that portion."

At 2:20 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:24 o'clock p.m.

On motion by Senator Uwaine, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 742, S.D. 2, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 742, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DERELICT VEHICLE; SALE OF ABANDONED VEHICLES BY TOWING COMPANIES; AND MOTOR VEHICLE REPAIR BUSINESS."

In accordance therewith, the President discharged the Managers who were appointed on the part of the Senate.

RE-REFERRAL OF A HOUSE BILL

The President, at this time, re-referred House Bill No. 187, H.D. 1, which was received on Wednesday, March 16, 1983, jointly to the Committee on Transportation and the Committee on Judiciary.

Senator Uwaine, chairman of the Committee on Transportation, then requested a waiver of the 48-hour notice of a Public Hearing on House Bill No. 187, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY," and the President granted the waiver.

APPOINTMENT OF CONFEREES

Senate Bill No. 4, S.D. 1 (H.D. 1):

The President appointed Senator Machida as an additional Manager on the part of the Senate at the conference to be held for the consideration of amendments made by the House to S.B. No. 4, S.D. 1.

Senate Bill No. 937, S.D. 1 (H.D. 1):

The President appointed Senator Machida as an additional Manager on the part of the Senate at the conference to be held for the consideration of amendments made by the House to S.B. No. 937, S.D. 1.

At 2:26 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate stood in recess for the purpose of receiving

Conference Committee Reports.

CONFERENCE COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 314, presented a report (Conf. Com. Rep. No. 13) recommending that H.B. No. 314, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 13 and H.B. No. 314, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," was deferred for a period of 48 hours.

Senator Young, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1232, H.D. 1, presented a report (Conf. Com. Rep. No. 14) recommending that H.B. No. 1232, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 14 and H.B. No. 1232, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred for a period of 48 hours.

Senator Young, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1620, H.D. 1, presented a report (Conf. Com. Rep. No. 15) recommending that H.B. No. 1620, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 15 and H.B. No. 1620, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COOPERATIVE HOUSING CORPORATIONS," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 800, presented a report (Conf. Com. Rep. No. 16) recommending that H.B. No. 800, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the

State of Hawaii, action on Conf. Com. Rep. No. 16 and H.B. No. 800, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT," was deferred for a period of 48 hours.

Senator Holt, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1254, presented a report (Conf. Com. Rep. No. 17) recommending that S.B. No. 1254, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 17 and S.B. No. 1254, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 569, S.D. 1, presented a report (Conf. Com. Rep. No. 18) recommending that S.B. No. 569, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 18 and S.B. No. 569, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY AND FITNESS TO PROCEED," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 133, S.D. 1, presented a report (Conf. Com. Rep. No. 19) recommending that S.B. No. 133, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 19 and S.B. No. 133, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION OF AQUATIC LIFE, WILDLIFE AND PLANTS," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 809, H.D. 1, presented a report (Conf. Com. Rep. No. 20)

recommending that H.B. No. 809, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 20 and H.B. No. 809, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL AND CAREER INFORMATION," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1279, S.D. 2, presented a report (Conf. Com. Rep. No. 21) recommending that S.B. No. 1279, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 21 and S.B. No. 1279, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 844, H.D. 1, presented a report (Conf. Com. Rep. No. 22) recommending that H.B. No. 844, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 22 and H.B. No. 844, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STADIUM AUTHORITY," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1567, H.D. 2, presented a report (Conf. Com. Rep. No. 23) recommending that H.B. No. 1567, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 23 and H.B. No. 1567, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1557, presented a report (Conf. Com. Rep. No. 24) recommending that H.B. No. 1557, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 24 and H.B. No. 1557, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESPONSIBILITY AND FITNESS OF DEFENDANT," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1417, H.D. 1, presented a report (Conf. Com. Rep. No. 25) recommending that H.B. No. 1417, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 25 and H.B. No. 1417, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CHILD PROTECTIVE ACT," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1342, H.D. 1, presented a report (Conf. Com. Rep. No. 26) recommending that H.B. No. 1342, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 26 and H.B. No. 1342, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY AND FITNESS," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1119, H.D. 2, presented a report (Conf. Com. Rep. No. 27) recommending that H.B. No. 1119, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com.

Rep. No. 27 and H.B. No. 1119, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATION THEREFOR," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 992, H.D. 2, presented a report (Conf. Com. Rep. No. 28) recommending that H.B. No. 992, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 28 and H.B. No. 992, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOG CONTROL," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 535, presented a report (Conf. Com. Rep. No. 29) recommending that H.B. No. 535, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 29 and H.B. No. 535, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ADMINISTRATIVE PROCEDURE ACT," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 467, H.D. 1, presented a report (Conf. Com. Rep. No. 30) recommending that H.B. No. 467, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 30 and H.B. No. 467, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1562, H.D. 1, presented a report

(Conf. Com. Rep. No. 31) recommending that H.B. No. 1562, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 31 and H.B. No. 1562, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EFFECT OF FINDING OF UNFITNESS TO PROCEED," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 180, S.D. 1, presented a report (Conf. Com. Rep. No. 32) recommending that S.B. No. 180, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 32 and S.B. No. 180, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 181, S.D. 1, presented a report (Conf. Com. Rep. No. 33) recommending that S.B. No. 181, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 33 and S.B. No. 181, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NURSING HOME ADMINISTRATORS ACT," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 247, S.D. 1, presented a report (Conf. Com. Rep. No. 34) recommending that S.B. No. 247, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 34 and S.B. No. 247, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE AND COLLECTION

SERVICING AGENTS," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 555, S.D. 2, presented a report (Conf. Com. Rep. No. 35) recommending that S.B. No. 555, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 35 and S.B. No. 555, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE FEES," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 711, S.D. 1, presented a report (Conf. Com. Rep. No. 36) recommending that S.B. No. 711, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 36 and S.B. No. 711, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRACTICING PSYCHOLOGISTS," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 735, S.D. 1, presented a report (Conf. Com. Rep. No. 37) recommending that S.B. No. 735, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 37 and S.B. No. 735, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 631, S.D. 1, presented a report (Conf. Com. Rep. No. 38) recommending that S.B. No. 631, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III,

Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 38 and S.B. No. 631, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVOLUNTARY CIVIL COMMITMENT UNDER MENTAL HEALTH LAW. ADMISSIONS FOR NONEMERGENCY TREATMENT OR SUPERVISION," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 390, H.D. 1, presented a report (Conf. Com. Rep. No. 39) recommending that H.B. No. 390, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 39 and H.B. No. 390, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUIETING TITLE," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1266, H.D. 1, presented a report (Conf. Com. Rep. No. 40) recommending that H.B. No. 1266, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 40 and H.B. No. 1266, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, AND SEPARATION," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 663, H.D. 2, presented a report (Conf. Com. Rep. No. 41) recommending that H.B. No. 663, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 41 and H.B. No. 663, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VICTIMS," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote

of the House to the amendments proposed by the Senate to House Bill No. 1102, H.D. 1, presented a report (Conf. Com. Rep. No. 42) recommending that H.B. No. 1102, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 42 and H.B. No. 1102, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 901, H.D. 1, presented a report (Conf. Com. Rep. No. 43) recommending that H.B. No. 901, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 43 and H.B. No. 901, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 30, S.D. 2, presented a report (Conf. Com. Rep. No. 44) recommending that S.B. No. 30, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 44 and S.B. No. 30, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 800, S.D. 1, presented a report (Conf. Com. Rep. No. 45) recommending that S.B. No. 800, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 45 and S.B. No. 800, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

DESIGN PROFESSIONAL CONCILIATION PANEL," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 393, H.D. 2, presented a report (Conf. Com. Rep. No. 46) recommending that H.B. No. 393, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 46 and H.B. No. 393, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1338, S.D. 2, presented a report (Conf. Com. Rep. No. 47) recommending that S.B. No. 1338, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 47 and S.B. No. 1338, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," was deferred for a period of 48 hours.

Senator Solomon, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1050, presented a report (Conf. Com. Rep. No. 48) recommending that S.B. No. 1050, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 48 and S.B. No. 1050, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATTENDANCE AT CLASSES OUTSIDE A SCHOOL DISTRICT," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1122, S.D. 2, presented a report (Conf. Com. Rep. No. 49) recommending that S.B. No. 1122, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III,

Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 49 and S.B. No. 1122, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1018, H.D. 2, presented a report (Conf. Com. Rep. No. 50) recommending that H.B. No. 1018, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 50 and H.B. No. 1018, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL BANKING FACILITIES," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 80, S.D. 1, presented a report (Conf. Com. Rep. No. 51) recommending that S.B. No. 80, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 51 and S.B. No. 80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," was deferred for a period of 48 hours.

Senator Young, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1003, S.D. 1, presented a report (Conf. Com. Rep. No. 52) recommending that S.B. No. 1003, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 52 and S.B. No. 1003, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND SALES," was deferred for a period of 48 hours.

Senator Machida, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 753, presented a report (Conf. Com. Rep. No. 53) recommending that

H.B. No. 753, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 53 and H.B. No. 753, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1587, H.D. 1, presented a report (Conf. Com. Rep. No. 54) recommending that H.B. No. 1587, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 54 and H.B. No. 1587, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 904, S.D. 1, presented a report (Conf. Com. Rep. No. 55) recommending that S.B. No. 904, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 55 and S.B. No. 904, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAIR DEALERSHIP PRACTICES," was deferred for a period of 48 hours.

Senator Aki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 903, S.D. 1, presented a report (Conf. Com. Rep. No. 56)

recommending that S.B. No. 903, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 56 and S.B. No. 903, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 787, S.D. 1, presented a report (Conf. Com. Rep. No. 57) recommending that S.B. No. 787, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 57 and S.B. No. 787, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 966, H.D. 2, presented a report (Conf. Com. Rep. No. 58) recommending that H.B. No. 966, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 58 and H.B. No. 966, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," was deferred for a period of 48 hours.

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 11:30 o'clock a.m., Wednesday, April 20, 1983.

FIFTY-EIGHTH DAY

Wednesday, April 20, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Colonel Joseph E. McCausland, Chaplain, United States Air Force, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Fifty-Seventh Day.

At this time Senator Holt rose and stated:

"Mr. President, at this time, I'd like, on behalf of the Senate, to introduce some people visiting with us from the Republic of Kiribati.

"Today, we have with us the Christmas Island Dance Group, a group of 29 dancers and 8 coordinators. They are here on a tour of the islands, their first to the United States, and will be here till Saturday.

"Before we introduce the people on the floor, I'd like to introduce a few individuals in the gallery who have accompanied the group. We have Mr. Brian Asgill, the General Manager of Air Tungaru; Cesino Tebaki, the Wildlife Warden of Christmas Island; Perry Langston, our head fishing guide; and a person responsible for today's activity, a good friend of mine (and Harry Kojima's sister), Ms. Carol Farrow.

"At this time, I'd like to introduce, seated on the floor, the leaders of this group, Mr. Tekeira Mwemwenikiaki and Mr. Tonana Uribano, who are accompanied by the Development Officer of Christmas Island, Mr. Patrick Lawrence.

"The group has consented to do a couple of numbers for us and so, Mr. President, may I present the Christmas Island Dance Group."

At 11:55 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:10 o'clock p.m.

HOUSE COMMUNICATIONS

The following communications from

the House (Hse. Com. Nos. 631 to 639), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 631), informing the Senate that the House has reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 752, H.D. 1, S.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 632) transmitting House Concurrent Resolution No. 202, which was adopted by the House of Representatives on April 19, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 202, entitled: "HOUSE CONCURRENT RESOLUTION EXTENDING A 'BON VOYAGE' TO THE ROYAL HAWAIIAN BAND AND ITS CONTINGENT OF ROYAL GUARDS ON THEIR SEVEN-NATION EUROPEAN CONCERT TOUR BETWEEN MAY 12 AND JUNE 1, 1983, AND REQUESTING THE ROYAL HAWAIIAN BAND MASTER TO CONVEY THE MESSAGE OF 'ALOHA' FROM THE STATE OF HAWAII TO THE VARIOUS PEOPLES AND DIGINITARIES OF EUROPE," was adopted.

A communication from the House (Hse. Com. No. 633) transmitting House Concurrent Resolution No. 172, H.D. 1, which was adopted by the House of Representatives on April 19, 1983, was placed on file.

By unanimous consent, H.C.R. No. 172, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE STUDY BY THE LEGISLATIVE AUDITOR OF ALL CAUSES AND OTHER MATTERS, EVENTS, ORGANIZATIONS, INCLUDING LABOR, EMPLOYERS, GOVERNMENT, MEDICAL CARE AND REHABILITATION AND THE INSURANCE INDUSTRY WHICH MAY AFFECT THE COST OF WORKERS' COMPENSATION IN HAWAII," was referred jointly to the Committee on Consumer Protection and Commerce and the Committee on Human Resources.

A communication from the House (Hse. Com. No. 634) transmitting House Concurrent Resolution No. 111, H.D. 1, which was adopted by the House of Representatives on April 19,

1983, was placed on file.

By unanimous consent, H.C.R. No. 111, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING PARTICIPATION BY HONOLULU ATTORNEYS IN HAWAII LAWYERS CARE, THE BAR SPONSORED VOLUNTEER LAWYER PROJECT," was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 635) correcting a previous communication dated April 14, 1983, wherein the names of Representatives Bunda and Souki were inadvertently omitted as Managers on the part of the House for the conference on the amendments proposed by the House to Senate Bill No. 362, S.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 636) correcting a previous communication dated April 14, 1983, wherein the names of Representatives Crozier and Nakata were inadvertently omitted as Managers on the part of the House for the conference on the amendments proposed by the House to Senate Bill No. 656, H.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 637) correcting a previous communication dated April 12, 1983, wherein the names of Representatives Chun, Kawakami and Tam were inadvertently omitted as Managers on the part of the House for the conference on the amendments proposed by the House to Senate Bill No. 669, S.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 638) correcting a previous communication dated April 13, 1983, wherein the name of Representative Nakata was inadvertently omitted as a Manager on the part of the House for the conference on the amendments proposed by the House to Senate Bill No. 1008, was placed on file.

A communication from the House (Hse. Com. No. 639) correcting a previous communication dated April 13, 1983, wherein the names of Representatives Bunda, Kiyabu and Wong were inadvertently omitted as Managers on the part of the House for the conference on the amendments proposed by the House to Senate Bill No. 1254, was placed on file.

CONFERENCE COMMITTEE REPORTS

Senator Cobb, for the Committee on Conference on the recommittal to

Conference of House Bill No. 915, S.D. 1, C.D. 1, presented a report (Conf. Com. Rep. No. 59) recommending that H.B. No. 915, S.D. 1, C.D. 1, as amended in C.D. 2, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 59 and H.B. No. 915, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," was deferred for a period of 48 hours.

Senator Uwaine, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 337, H.D. 1, presented a report (Conf. Com. Rep. No. 60) recommending that H.B. No. 337, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 60 and H.B. No. 337, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES AND MOPEDS," was deferred for a period of 48 hours.

Senator Uwaine, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1105, presented a report (Conf. Com. Rep. No. 61) recommending that S.B. No. 1105, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 61 and S.B. No. 1105, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR-CYCLES," was deferred for a period of 48 hours.

Senator Uwaine, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1247, S.D. 1, presented a report (Conf. Com. Rep. No. 62) recommending that S.B. No. 1247, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 62 and S.B. No. 1247, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES," was

deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 945) informing the Senate that Conference Committee Report Nos. 13 to 62 and Standing Committee Report Nos. 946 to 973 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 946) recommending that House Bill No. 514 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 514, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 22, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 947) recommending that House Bill No. 657 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 657, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF ELECTRICIANS AND PLUMBERS," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 22, 1983.

Senator Young, for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 948) recommending that House Bill No. 234 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 234, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was placed on

the calendar for Third Reading on Friday, April 22, 1983.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 949) recommending that Senate Concurrent Resolution No. 83 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 83, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE NEED FOR MORE ON-CAMPUS HOUSING FOR THE STUDENTS OF THE UNIVERSITY OF HAWAII," was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 950) recommending that House Bill No. 273 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 273, entitled: "A BILL FOR AN ACT RELATING TO THE SUBPOENA POWERS OF THE DIRECTOR OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 22, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 951) recommending that House Bill No. 284, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 284, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL EMPLOYMENT AGENCIES," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 22, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 952) recommending that House Bill No. 340 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 340, entitled:

"A BILL FOR AN ACT RELATING TO ACUPUNCTURE PRACTITIONERS," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 22, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 953) recommending that House Bill No. 440 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 440, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 22, 1983.

Senator Young, for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 954) recommending that the Senate advise and consent to the nominations of Hoaliku Drake, Clarence K. Kamai and Linda K. Rosehill, to the Hawaiian Homes Commission, in accordance with Governor's Message No. 281.

By unanimous consent, action on Stand. Com. Rep. No. 954 and Gov. Msg. No. 281 was deferred until Thursday, April 21, 1983.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 955) recommending that House Bill No. 1129 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.B. No. 1129, entitled: "A BILL FOR AN ACT RELATING TO CONCESSION BID DEPOSITS," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 22, 1983.

Senator Solomon, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 956) recommending that Senate Resolution No. 113 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 113, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ACQUIRING BY LAND EXCHANGE THE FORMER OKIMOTO DRUG STORE

SITE AND BUILDING IN WAHIAWA, OAHU, FOR RENOVATION INTO A SENIOR CITIZENS COMMUNITY CENTER," was adopted.

Senator Solomon, for the Committee on Education, presented a report (Stand. Com. Rep. No. 957) recommending that Senate Concurrent Resolution No. 89 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 89, entitled: "SENATE CONCURRENT RESOLUTION DECLARING THE WEEK OF MAY 14 THROUGH 20, 1983, HAWAII GIFTED AND TALENTED CHILDREN'S WEEK," was adopted.

Senator Solomon, for the Committee on Education, presented a report (Stand. Com. Rep. No. 958) recommending that the Senate advise and consent to the nominations of the following:

Cecilia C. Villafuerte, Mary Anne Migan and Hiroshi Yamashita, to the Hawaii Education Council, in accordance with Governor's Message No. 184;

John A. Thompson, to the Education Commission of the States, in accordance with Governor's Message No. 185; and

Betty Hemphill, Ethelreda R. Kahalewai, Roy J. Hutchinson and K. Russell Ho, to the Library Advisory Commission, City and County of Honolulu, in accordance with Governor's Message No. 186.

By unanimous consent, action on Stand. Com. Rep. No. 958 and Gov. Msg. Nos. 184, 185 and 186 was deferred until Thursday, April 21, 1983.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 959) recommending that the Senate advise and consent to the nominations of the following:

Carl H. Okuyama, to the Board of Planning and Economic Development, in accordance with Governor's Message No. 109;

Donald M. Kuyper, to the Board of Directors, Aloha Tower Development Corporation, in accordance with Governor's Message No. 110;

Asahi Okamoto and Frank Goto, to the Hawaii Fisheries Coordinating

Council, in accordance with Governor's Message No. 111;

William W.L. Yuen, to the Land Use Commission, in accordance with Governor's Message No. 112;

Keith K. Crosson, to the Board of Planning and Economic Development, in accordance with Governor's Message No. 182;

Joseph "Dolly" Makua, to the Hawaii Fisheries Coordinating Council, in accordance with Governor's Message No. 183; and

Susumu Ono, as Chairman, Board of Land and Natural Resources, in accordance with Governor's Message No. 229.

By unanimous consent, action on Stand. Com. Rep. No. 959 and Gov. Msg. Nos. 109, 110, 111, 112, 182, 183 and 229 was deferred until Thursday, April 21, 1983.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 960) recommending that the Senate advise and consent to the nominations of the following:

Margaret P. Josiah, Peter Cabral and James D. Williams, to the Windward Oahu Subarea Health Planning Council, in accordance with Governor's Message No. 282;

Richard Paul Bettini, Glenn Fujihara, D.D.S., John Domen, Jr. and Melvin Dumancas, to the Waianae Coast Subarea Health Planning Council, in accordance with Governor's Message No. 283;

Agnes Jerome Murphy, Setsuo Furuno, Ph.D. and Myron W. Hatch, to the State Planning Council on Developmental Disabilities, in accordance with Governor's Message No. 284; and

Robert L. May, M.D., to the Board of Radiologic Technologists, in accordance with Governor's Message No. 285.

By unanimous consent, action on Stand. Com. Rep. No. 960 and Gov. Msg. Nos. 282, 283, 284 and 285 was deferred until Thursday, April 21, 1983.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 961) recommending that Senate Concurrent Resolution No. 54 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 54, entitled: "SENATE CONCURRENT RESOLUTION CONCERNING THE TUNA CANNERY OPERATION," was adopted.

Senator Hagino, for the Committee on Federal Relations, presented a report (Stand. Com. Rep. No. 962) recommending that House Concurrent Resolution No. 69 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.C.R. No. 69, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT, THE SECRETARY OF STATE, AND THE UNITED STATES CONGRESS TO PLACE A HIGH PRIORITY ON THE REDUCTION OF NUCLEAR ARMS," was adopted.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 963) recommending that Senate Resolution No. 134, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 134, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONSIDER THE ADOPTION OF A RULE TO REQUIRE STAMPING THE PROCESSED DATE AND THE PULL DATE ON EACH CARTON OF MILK," was adopted.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 964) recommending that Senate Concurrent Resolution No. 107, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 107, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONSIDER THE ADOPTION OF A RULE TO REQUIRE STAMPING THE PROCESSED DATE AND THE PULL DATE ON EACH CARTON OF MILK," was adopted.

Senator Solomon, for the Committee on Education, presented a report (Stand. Com. Rep. No. 965) recommending that Senate Resolution No. 116 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 116, entitled: "SENATE RESOLUTION RELATING TO THE ESTABLISHMENT OF A PUBLIC LIBRARY PORTASTRUCTURE IN THE MOANALUA-SALT LAKE AREA," was adopted.

Senator Solomon, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 966) recommending that Senate Concurrent Resolution No. 116 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 116, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ACQUIRING BY LAND EXCHANGE THE FORMER OKIMOTO DRUG STORE SITE AND BUILDING IN WAHIAWA, OAHU, FOR RENOVATION INTO A SENIOR CITIZENS COMMUNITY CENTER," was adopted.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 967) recommending that Senate Concurrent Resolution No. 67 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 67, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE REOPENING OF OAHU HIKING TRAILS," was adopted.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 968) recommending that Senate Resolution No. 86 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 86, entitled: "SENATE RESOLUTION REQUESTING THE REOPENING OF OAHU HIKING TRAILS," was adopted.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 969) recommending that Senate Concurrent Resolution No. 65, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried,

the report of the Committee was adopted and S.C.R. No. 65, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES TO PROHIBIT THE EXPORT OF UNREGISTERED PESTICIDES," was adopted.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 970) recommending that Senate Resolution No. 84, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 84, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE UNITED STATES TO PROHIBIT THE EXPORT OF UNREGISTERED PESTICIDES," was adopted.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 971) recommending that Senate Resolution No. 143 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 143, entitled: "SENATE RESOLUTION REQUESTING A STATUS REPORT ON IMPLEMENTATION OF THE FINAL CONCEPTUAL PLAN FOR THE DIAMOND HEAD STATE MONUMENT," was adopted.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 972) recommending that Senate Concurrent Resolution No. 113 be adopted.

On motion by Senator Cobb, seconded by Senator Chang and carried, the report of the Committee was adopted and S.C.R. No. 113, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STATUS REPORT ON IMPLEMENTATION OF THE FINAL CONCEPTUAL PLAN FOR THE DIAMOND HEAD STATE MONUMENT," was adopted.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 973) recommending that Senate Concurrent Resolution No. 57 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 57, entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING AN APPRAISAL AND ACQUISITION STUDY OF THE LANIHAU/KUKA'ILIMOKU PROPERTIES BETWEEN THE STATE PARK AT OLD KONA AIRPORT AND THE SHORELINE," was adopted.

ORDER OF THE DAY

MATTER DEFERRED FROM
APRIL 15, 1983

THIRD READING

House Bill No. 1531, H.D. 1:

By unanimous consent, action on H.B. No. 1531, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was deferred until Thursday, April 21, 1983.

MATTER DEFERRED FROM
APRIL 18, 1983

THIRD READING

House Bill No. 237:

Senator Machida moved that House Bill No. 237, having been read throughout, pass Third Reading, seconded by Senator Young.

At this time, Senator Machida rose and stated:

"Mr. President, I would like to make a few remarks in support of the bill and also correct some wrong impressions I may have left in my previous discussion on it.

"As indicated previously, I mentioned that TB is very prevalent among immigrants coming into the State of Hawaii. However, this bill does not address that particular problem.

"The problem the bill addresses is that there are many people who are suspected of having this disease and are very difficult to locate to substantiate whether they have TB or not. The Department of Health has indicated that immigrants are relatively easy to locate, so it is easy to obtain the necessary medical information. However, the problem lies with those who are transients in the State of Hawaii and have a general delivery address; and when this situation exists, then it's very, very difficult to locate these people.

"So, what the bill does is, it gives the Department the authority to obtain this medical information from

people who are very difficult to locate. So, I hope that this clarification helps. Thank you."

Senator Cayetano then stated:

"Mr. President, I rise to speak against this bill.

"Mr. President, before speaking against this bill, I would like to thank the chairman of the Health Committee for deferring this bill for three or four days so that we could attempt to clear up what this bill proposes to do and gather information on the impact of the bill itself.

"My initial concern about this bill was that it infringes on the rights of immigrants, in that the bill provided that the Department of Health would be authorized to obtain medical records of patients without the patient's consent. The chairman informed me yesterday, that the problem, as explained by him now, (certainly was not explained to him at the hearing in this fashion) was not with the immigrants, but with the Caucasians, namely, to use his words, 'the hippie types,' who are somewhat hard to find.

"I wrestled with this question. The principle that I thought was involved, and I suppose, Mr. President, my objection against this bill was that it infringes on the rights of immigrants. That objection should not be any less because the problem is not the immigrants, but Caucasian hippies. The Constitution protects all of us, no matter what our ethnicity or racial persuasion is. Therefore, I have prepared a written speech that I think is still pertinent and which I would now, like to give.

"Mr. President, I rise to speak against this bill.

"In doing so, my purpose is not to diminish the good intent behind this piece of legislation, namely in improving the ability of the Department of Health to retrieve information about tuberculosis; but rather, I'd like to raise some concerns about the bill's contributions towards undermining the fundamental constitutional rights of a segment of our population.

"Mr. President, if you only review this bill for what it intends to accomplish, then support would be in order. But, each member should put themselves in the place of the patient. How would you feel if the government could have access to your medical records without your consent?

I believe most of the members of this body would not like anyone snooping around their personal medical files!

"We have all lived through a period in this country of such governmental intrusion into the personal affairs of individuals. We know how demeaning it is to a person's dignity, and we understand how important privacy is. The United States Constitution, Mr. President, does not expressly provide for a right of privacy. This has been inferred upon by the Constitution by the United States Supreme Court.

"However, we here, in the State of Hawaii, through the 1978 Constitutional Convention passed a new section which was ratified by the voters, establishing the explicit constitutional right to privacy in our State Constitution. Very few states have this. This new section states, and I quote: 'The right of the people to privacy is recognized and shall not be infringed without a showing of a compelling state interest.' The committee report states that there may be, 'a legitimate need for government to gather data about individuals but there is a danger of abuse in the use of such information.'

"Mr. President, this bill is an example of the kind of intrusion that the Constitutional Convention hoped to protect the citizenry of this state against. In broad language, this bill authorizes the retrieval of information without the consent of a person suspected of having the symptoms of tuberculosis. The conditions for suspicion are not legally defined. There exists a real possibility that the Department of Health, under this bill, can evoke its authority for the slightest suspicion based on the vaguest foundation of fact. Do we want the citizenry to be subjected to this kind of intrusion?

"I know that there may be a feeling that if there is an intrusion, the government interest in public health far outweighs the rights of these individuals. But, Mr. President, the present law protects all of us -- immigrant and hippie -- and the Constitution sees fit to hold this government interest to a very high legal standard.

"Every Senator in this body knows that a compelling state interest test is a difficult one to meet. Very few state interests have been upheld under this test, and under our system of government, explicit con-

stitutional, individual guarantees have always been deemed more important than state interest. In this case, I believe that this law, allowing the retrieval of such medical records without the person's consent, will fail because the Department will be unable to satisfy this test.

"I will not deny that TB exists in this state, but the facts indicate it is not of that epidemic proportion. Let me read to you some of the data that I have been able to develop. I have here a table taken from the State Data Book, page 113, Table 7, (and this speaks to the year 1981,) a total of 197 tuberculosis cases; 115 of those cases were male; 82 were female; 13 of those cases were Hawaiian and Part-Hawaiian; 21 were Chinese; 95 were Filipino; 23 were Japanese; 17 were Korean; 15 were from Vietnam or Cambodia or Laos; and the category 'others' included a total of 7. The pertinent figure here, Mr. President, is that Caucasians numbered only 6; so what we're talking about is a very, very small number and I'm just wondering whether the remedy proposed in this bill is worth overriding the constitutional right of privacy.

"Mr. President, while the chairman says that the problem is with this small population, I'm talking about the hippie population, the fact of the matter is that this law has a broad brush, and goes right across the board. If we want to provide protection for our people from TB, then it seems that we should use innovation. And one of the things that, maybe, the Department should consider would be to get the consent of people in advance rather than waiting until after the test is taken.

"The State of Hawaii has a good record when it comes to monitoring and fighting TB, and we should assist the state in every way we can. But, we have to remember that this is the first step. This is the first bill that I know of...this will be the first law, where we allow our government to get medical records without consent. What next? Certainly the question of herpes is probably more prevalent than TB today. Shall we then extend the concept of this law to provide in the next session, perhaps, that if anyone is suspected of herpes his medical records can be obtained without his or her consent?

"This bill is a Pandora's box. It opens a Pandora's box to the invasion of privacy, and I would ask the Senators here today to vote this bill

down and show that they believe, as the Constitutional Convention did, that the right to privacy is a right here in Hawaii that we truly cherish.

"Let me read to you from the committee report from the Constitutional Convention, and I quote: 'Another area of concern that may be alleviated by this right, is the issue of informational privacy, or the ability of a person to control the privacy of information about himself. There has been a trend in modern day society to require that a person complete forms detailing information about himself. There is often a legitimate need for government or private parties to gather data about individuals, but there is a danger of abuse in the use and/or dissemination of such information. The danger of inclusion of inaccurate data being retained in some computer bank, thereby affecting the life of an individual is inherent in our modern day that the right to privacy should insure that at least an individual shall have the right to inspect records to correct misinformation about himself. Perhaps the most important aspect of privacy is that it confers upon people the most important right of all, the right to be left alone.'

"It goes on to quote Justice Brandeis in the case of *Armstead vs. the United States*, and the quote says: 'The makers of our Constitution undertook to secure conditions favorable to the pursuit of happiness. They recognized the significance of man's spiritual nature, of his feelings and his intellect. They knew that only a part of the pain, pleasure and satisfaction of life could be found in material things. They sought to protect Americans in their beliefs, their thoughts, their emotions and their sensations. They conferred as against government the right to be left alone, is the most comprehensive rights and the right most valued by civilized man.'

"I urge, again, for these reasons, that we vote this bill down. Thank you."

Senator Machida then replied:

"Mr. President, just a few remarks in rebuttal.

"First, I agree that there is a definite conflict between the rights of an individual as compared to the rights of the public to be protected from the control and spread of this disease. Second, the statistics alluded to by the previous speaker

are correct. However, the more vital information that we obtained from the Department is that every month there are 100 suspected cases, and out of these 100 suspected cases, 15 of them are very difficult to locate. Sometimes three months elapses before the necessary information is obtained, and in the meantime, the disease could be spreading throughout our community.

"Finally, as we know today, TB is treated on an outpatient basis. Many years ago TB was a very dreaded disease and we had TB hospitals located throughout the State of Hawaii, and we don't want to go back to that kind of condition. This is the reason why the Department is really asking for this particular measure.

"For these enumerated reasons, Mr. President, I would like to once again urge the members for their support of this bill. Thank you."

Senator Cayetano then replied:

"Mr. President, in rebuttal, first of all, there is no emergency. The state has a good record of fighting TB. We've come a long way to the point where the disease, I think, has been pretty well kept under control and for this reason I have a bone to pick with the Department of Health.

"When the Department proposed this bill, as I understood it, the problem was with immigrants. Now, we find out that the problems are the 'hippie types' who have general post office boxes that can't be found. It seems to me that the Department should have been up front with us and given us the information straight.

"But that doesn't really make a difference. If the problem is with these small numbers of people, (all we're really talking about is 15) it's so small that the danger is not epidemic. All I'm saying is that this is going to open the door to future bills which will be introduced by the Department of Health, to correct these kinds of problems; problems which seem to me, should have been worked out by some innovation; problems which can be worked out if there were better communications between doctors and the Department of Health.

"Had this bill been drafted to require that doctors be required to provide medical reports within a certain period of time with the consent of the patient, I would have had no problem. But, it does not. It broadly brushes against the entire

spectrum and I say that one day, maybe even next session, you will see other bills like this, further infringing into our right of privacy; further chipping away at those things that we, as individuals who live in this country, feel are very important."

The motion was put by the Chair and carried and Roll Call vote having been requested, H.B. No. 237, entitled: "A BILL FOR AN ACT RELATING TO THE CONTROL OF TUBERCULOSIS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 10 (Abercrombie, Ajifu, Carpenter, Cayetano, Fernandes Salling, Henderson, Kawasaki, A. Kobayashi, Soares and Toguchi).

FINAL READING

Conference Committee Report No. 2 (H.B. No. 278, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 2 was adopted and H.B. No. 278, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 3 (H.B. No. 286, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 3 was adopted and H.B. No. 286, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF BARBERING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 4 (H.B. No. 291, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 4 was adopted and H.B. No. 291, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," having been read throughout, passed

Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 5 (H.B. No. 659, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 5 was adopted and H.B. No. 659, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 115, S.D. 1, H.D. 1:

Senator Cobb moved that S.B. No. 115, S.D. 1, H.D. 1, having been read throughout, pass Final Reading seconded by Senator Soares.

At this time, Senator Carpenter rose and stated:

"Mr. President, just briefly, I rise to speak in favor of this bill.

"Mr. President, I note in the committee report that it does not mention the amounts of money that might be recoverable to the state. My understanding is, from the previous discussion and the hearings on this bill, that this Uniform Unclaimed Property Act could generate somewhere in the neighborhood of two to three million dollars annually, to the State of Hawaii, and that these revenues could go into the General Fund. I think it's a good bill and I request my colleagues' support. Thank you."

The motion was put by the Chair and carried, and S.B. 115, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM UNCLAIMED PROPERTY ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

RECONSIDERATION OF ACTIONS TAKEN

Senate Bill No. 184, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate reconsider its action taken on April 7, 1983 on S.B. No. 184, S.D. 1, H.D. 1, seconded by Senator Chang.

Senator Cobb then stated as

follows:

"Mr. President, the House has made primarily, technical changes with one exception, and that was in the display of the license. We put the 'business place,' and the House put the 'licensee's place.' For that reason, I find insufficient reason for a conference draft and recommend agreement with the House Draft 1."

The motion to reconsider the action was put by Chair and carried.

On motion by Senator Cobb seconded by Senator Chang and carried, the Senate agree to the amendments proposed by the House to S.B. No. 184, S.D. 1, and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 184, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF OSTEOPATHY."

In accordance therewith, the President discharged the Managers who were appointed on the part of the Senate.

Senate Bill No. 418, S.D. 1, H.D. 1:

Senator Uwaine moved that the Senate reconsider its action taken on April 19, 1983 on S.B. No. 418, S.D. 1, H.D. 1, seconded by Senator Yamasaki.

Senator Uwaine then stated as follows:

"Mr. President, yesterday, I made a motion on the floor for reconsideration and for agreement on S.B. No. 418, S.D. 1, H.D. 1, a bill for an act relating to Kona Airport.

"At this time, Mr. President, I'd like to recommend to you that we recommit this bill back to conference for further discussion."

Senator Henderson then queried:

"Would the chairman yield to a question?"

Senator Uwaine answered in the affirmative and Senator Henderson continued:

"Could he tell us the reason for recommitting back to committee?"

Senator Uwaine replied:

"Mr. President, late last night, I had a further discussion with the chairman of the Transportation Committee in the House, Representative

Taniguchi, and it appears that we are close to agreement, so we decided to go back into conference."

Senator Soares then rose and stated:

"Mr. President, a point of order. Didn't we, yesterday, discharge the conferees on this bill?"

The President interjected:

"No, we did not, Senator Soares."

Senator Soares queried:

"Did not?"

The President replied:

"They may talk until such time when the Chair does discharge all the conferees."

Senator Soares then replied:

"So the bill is on 48-hours notice then?"

The President replied:

"That is correct."

Senator Henderson then rose and queried:

"Mr. President, what is the nature of the disagreement?"

Senator Uwaine replied:

"Mr. President, the nature of the disagreement may seem very small for many of us here in this body, but apparently it's a very big issue for the people in Kona, and it deals with the naming of the airport over there.

"The Senate's position is 'The Kona Airport at Keahole, Island of Hawaii,' whereas for the House, the position is 'The Kona Airport situated at Keahole, Island of Hawaii.' Apparently, for those people on that island, and particularly in Kona, it is a major concern. So, rather than just taking this action arbitrarily in the Senate, I decided we should go back into conference."

Senator Henderson then queried:

"Mr. President, I understood that we agreed to the House version. The problem is not in the Senate; it's in the House, right?"

Senator Uwaine replied:

"I beg your pardon, Senator Henderson?"

Senator Henderson replied:

"My question, Mr. President, would be that the problem is not here in the Senate. The problem is in the House, and if we agreed to the House version, what seems to be the problem?"

Senator Uwaine replied:

"Apparently, Mr. President, there are some concerns within the Senate as well, especially from some of the representatives from the Big Island, and, trying to take everybody's concerns into consideration, rather than just my own judgment, as the chairman of the committee, I decided to have further discussion on this bill."

The motion to reconsider the action was put by the Chair and carried.

Senate Bill No. 669, S.D. 1, H.D. 1:

Senator Machida moved that the Senate reconsider its action taken on April 7, 1983 on S.B. No. 669, S.D. 1, H.D. 1, seconded by Senator Young.

Senator Machida then stated as follows:

"Mr. President, we just wanted additional time to see what the impact of the House amendment was upon the small food industry. In checking with the industry and also talking to the Department of Health, we found that both agreed to the amendment and this is the reason why we're agreeing with the House draft."

At 12:35 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:45 o'clock p.m.

The motion to reconsider the action taken was put by the Chair and carried.

On motion by Senator Machida, seconded by Senator Young and carried, the Senate agree to the amendments proposed by the House to S.B. No. 669, S.D. 1, and in accordance with the provisions of Article III, Section 15 of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 669, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH."

In accordance therewith, the

President discharged the Managers who were appointed on the part of the Senate.

At this time, Senator Cobb, chairman of the Committee on Consumer Protection and Commerce, requested a waiver of the 48-hour notice of a Public Hearing on H.C.R. No. 172, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE STUDY BY THE LEGISLATIVE AUDITOR OF ALL CAUSES AND OTHER MATTERS, EVENTS, ORGANIZATIONS, INCLUDING LABOR, EMPLOYERS, GOVERNMENT, MEDICAL CARE AND REHABILITATION AND THE INSURANCE INDUSTRY WHICH MAY AFFECT THE COST OF WORKERS' COMPENSATION IN HAWAII", and the President granted the waiver.

At 12:47 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:49 o'clock p.m.

Senator Cayetano then rose and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I'd just like to clarify some remarks that I made yesterday. During the confirmation of Mr. Murakami, I alluded to a person who I described as being politically influential in this town, and also as the Governor's campaign treasurer. I stand corrected. This person never served as the Governor's campaign treasurer, however, I think that most of us agree that he is politically influential. Otherwise, I stand by all of the other remarks that I made yesterday. Thank you."

At this time, Senator Aki, chairman of the Committee on Economic Development requested a waiver of the 48-hour notice of a Public Hearing on the following measures:

H.B. No. 1399, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT", and

H.B. No. 1505, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS",

and the President granted the waiver.

Senator Cayetano then rose and

stated:

"Mr. President, a point of information, please. Would the Chair explain to us for the record, when does the 48-hour clocking begin on a bill?"

The President replied:

"The Chair has taken the position that clocking will begin when the budget bill or any bill is presented on your desks."

Senator Cayetano then replied:

"On our desks?"

The President replied in the affirmative and Senator Cayetano concluded his remarks to the Chair stating:

"Thank you, Mr. President."

At 1:02 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate stood in recess until 8:00 o'clock p.m. this evening.

EVENING SESSION

The Senate reconvened at 11:30 o'clock p.m. with all Senators present.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 289) transmitting a report prepared by the State Law Enforcement Planning Agency for the Juvenile Justice Interagency Board pursuant to Chapter 571D, Hawaii Revised Statutes, entitled: "Juvenile Justice Information System Study, Phase I," January 1983, was read by the Clerk and was referred to the Committee on Judiciary.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 640 to 672), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 640) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 621, H.D. 1, and that the Speaker, on April 19, 1983, discharged the Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House

(Hse. Com. No. 641), informing the Senate that the amendments proposed by the Senate to House Bill No. 10, H.D. 1 were agreed to by the House; and H.B. No. 10, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 642), informing the Senate that the amendments proposed by the Senate to House Bill No. 15, H.D. 1 were agreed to by the House; and H.B. No. 15, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 643), informing the Senate that the amendments proposed by the Senate to House Bill No. 42, H.D. 2 were agreed to by the House; and H.B. No. 42, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 644), informing the Senate that the amendments proposed by the Senate to House Bill No. 43, H.D. 2 were agreed to by the House; and H.B. No. 43, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 645), informing the Senate that the amendments proposed by the Senate to House Bill No. 118, H.D. 1 were agreed to by the House; and H.B. No. 118, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 646), informing the Senate that the amendments proposed by the Senate to House Bill No. 208, H.D. 1 were agreed to by the House; and H.B. No. 208, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 647), informing the Senate that the amendments proposed by the Senate to House Bill No. 209 were agreed to by the House; and H.B. No. 209, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 648), informing the

Senate that the amendments proposed by the Senate to House Bill No. 210, H.D. 1 were agreed to by the House; and H.B. No. 210, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 649), informing the Senate that the amendments proposed by the Senate to House Bill No. 211 were agreed to by the House; and H.B. No. 211, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 650), informing the Senate that the amendments proposed by the Senate to House Bill No. 313, H.D. 1 were agreed to by the House; and H.B. No. 313, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 651), informing the Senate that the amendments proposed by the Senate to House Bill No. 351 were agreed to by the House; and H.B. No. 351, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 652), informing the Senate that the amendments proposed by the Senate to House Bill No. 402, H.D. 1 were agreed to by the House; and H.B. No. 402, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 653), informing the Senate that the amendments proposed by the Senate to House Bill No. 411 were agreed to by the House; and H.B. No. 411, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 654), informing the Senate that the amendments proposed by the Senate to House Bill No. 452, H.D. 1 were agreed to by the House; and H.B. No. 452, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 655), informing the Senate that the amendments proposed

by the Senate to House Bill No. 499, H.D. 1 were agreed to by the House; and H.B. No. 499, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 656), informing the Senate that the amendments proposed by the Senate to House Bill No. 576, H.D. 1 were agreed to by the House; and H.B. No. 576, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 657), informing the Senate that the amendments proposed by the Senate to House Bill No. 757 were agreed to by the House; and H.B. No. 757, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 658), informing the Senate that the amendments proposed by the Senate to House Bill No. 783 were agreed to by the House; and H.B. No. 783, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 659), informing the Senate that the amendments proposed by the Senate to House Bill No. 796, H.D. 1 were agreed to by the House; and H.B. No. 796, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 660), informing the Senate that the amendments proposed by the Senate to House Bill No. 890, H.D. 1 were agreed to by the House; and H.B. No. 890, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 661), informing the Senate that the amendments proposed by the Senate to House Bill No. 1037 were agreed to by the House; and H.B. No. 1037, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 662), informing the Senate that the amendments proposed by the Senate to House Bill No. 1121,

H.D. 1 were agreed to by the House; and H.B. No. 1121, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 663), informing the Senate that the amendments proposed by the Senate to House Bill No. 1128 were agreed to by the House; and H.B. No. 1128, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 664), informing the Senate that the amendments proposed by the Senate to House Bill No. 1153, H.D. 1 were agreed to by the House; and H.B. No. 1153, H.D. 1, S.D. 2, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 665), informing the Senate that the amendments proposed by the Senate to House Bill No. 1237 were agreed to by the House; and H.B. No. 1237, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 666), informing the Senate that the amendments proposed by the Senate to House Bill No. 1294, H.D. 1 were agreed to by the House; and H.B. No. 1294, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 667), informing the Senate that the amendments proposed by the Senate to House Bill No. 1317, H.D. 1 were agreed to by the House; and H.B. No. 1317, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 668), informing the Senate that the amendments proposed by the Senate to House Bill No. 1363, H.D. 1 were agreed to by the House; and H.B. No. 1363, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 669), informing the Senate that the amendments proposed by the Senate to House Bill No. 1438, H.D. 1 were agreed to by the House;

and H.B. No. 1438, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 670), informing the Senate that the amendments proposed by the Senate to House Bill No. 1496, H.D. 1 were agreed to by the House; and H.B. No. 1496, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 671), informing the Senate that the amendments proposed by the Senate to House Bill No. 1528, H.D. 2 were agreed to by the House; and H.B. No. 1528, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1983, was placed on file.

A communication from the House (Hse. Com. No. 672) transmitting House Concurrent Resolution No. 179, H.D. 1, which was adopted by the House of Representatives on April 20, 1983, was placed on file.

By unanimous consent, H.C.R. No. 179, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE OPPOSITION TO THE CARIBBEAN BASIN ECONOMIC RECOVERY ACT AND ENCOURAGING THE HAWAII CONGRESSIONAL DELEGATION TO FIGHT ITS PASSAGE," was referred to the Committee on Federal Relations.

CONFERENCE COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1062, S.D. 2, presented a report (Conf. Com. Rep. No. 63) recommending that S.B. No. 1062, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 63 and S.B. No. 1062, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY DEVELOPMENT," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 834, S.D. 1, presented a report (Conf. Com. Rep. No. 64) recom-

mending that S.B. No. 834, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 64 and S.B. No. 834, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISLOCATED WORKERS," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 4, S.D. 1, presented a report (Conf. Com. Rep. No. 65) recommending that S.B. No. 4, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 65 and S.B. 4, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS AND MAKING APPROPRIATIONS THEREFOR," was deferred for a period of 48 hours.

Senator Solomon, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1434, H.D. 1, presented a report (Conf. Com. Rep. No. 66) recommending that H.B. No. 1434, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 66 and H.B. No. 1434, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the House to Senate Bill No. 994, S.D. 1, presented a report (Conf. Com. Rep. No. 67) recommending that S.B. No. 994, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 67 and S.B. No. 994, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOLOKAI GENERAL HOSPITAL,"

was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 937, S.D. 1, presented a report (Conf. Com. Rep. No. 68) recommending that S.B. No. 937, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 68 and S.B. No. 937, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAX," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1, H.D. 1, presented a report (Conf. Com. Rep. No. 69) recommending that H.B. No. 1, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 69 and H.B. No. 1, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," was deferred for a period of 48 hours.

At this time, Senator Cayetano rose and stated:

"Mr. President, did I hear conference Conference Committee Report No. 69 mentioned?"

The President replied in the affirmative and Senator Cayetano continued:

"That is the budget. Is that correct?"

The President replied:

"Yes, relating to the State Budget, that's correct."

Senator Cayetano then stated:

"Mr. President, I have a question. I've just read the committee report, No. 69, and I notice there's no discussion of the financial plan that this budget is supposed to comport to, nor is there any indication that this budget follows the revenue projections prepared by the Council on Revenues.

"It is my understanding that under HRS 37-112, part (b), and let me read it for the members, it says, 'All estimates submitted by the Council shall be made public. If the Legislature in appropriating funds or the Governor, in preparing the budget, uses revenue estimates which differ from the estimate prepared by the Council, then the Governor or Legislature shall make that fact public together with the reasons for using the differing revenue estimates.'

"I see in this committee report, no mention of it nor of the Council on Revenues' projections. Frankly, there is no indication as to how these projections are reached, and it would seem to me that for those of us who have not had any opportunity to be involved in the preparation of this budget, it will be very difficult for us to figure out whether we are coming out with a balanced budget or not.

"So, my question is, where is the disclosure that is required under 37-112? I do not see it in the committee report."

At 11:33 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:40 o'clock p.m.

Senator Cayetano then rose and stated:

"Mr. President, I believe I posed a question to the Chair and I would appreciate an answer."

The question was posed by the Chair and Senator Yamasaki replied as follows:

"Mr. President, in answer to the question posed by the previous speaker, I would also like to read slowly the section that he read under Part IV, Council on Revenues, Chapter 37-112 (b), 'All estimates submitted by the Council shall be made public. If the Legislature in appropriating funds, or if the Governor in preparing the budget, uses a revenue estimate which differs from the estimate prepared by the Council, then the Governor or the Legislature shall make the fact public together with reasons for using the differing revenue estimates.'

"Mr. President, I may not be a lawyer, however, the reading of the section clearly states that the only time you make it public is when there

is a different formula used, other than that of the Council on Revenues' projections. Thank you."

Senator Cayetano then stated:

"Mr. President, I have some knowledge of this section because I believe I wrote it in 1979 or 1980, and, I don't have the committee report before me, but it seems to me that the question of making this information public should be resolved in the committee report.

"Reading this committee report, we have no way of knowing whether in fact, the appropriations or the budget are based on other than the Council on Revenues' projections. That is the point that I'm trying to make. Now, how is anyone supposed to know whether this budget is based on the Council on Revenues' projections or not, if the committee report does not so indicate? May I ask the chairman that question?"

Senator Yamasaki then replied:

"Mr. President, when I'm ready to debate on this bill, I shall make this information accessible to this body."

Senator Cayetano then stated:

"Mr. President, you realize this puts us at an extreme disadvantage because we have only a few days to review and analyze this budget and, if we do not know what the financial plan is, we can't properly analyze the budget!"

The President replied:

"I think, Senator Cayetano, if I understand correctly the reply from the chairman of the committee, he indicated that when the debate starts on the bill, the pertinent information that members of the Senate seek would be made available."

Senator Cayetano then inquired:

"Is it the position of the chairman and yourself, Mr. President, that that information does not have to be set forth in the committee report? Because it seems to me that maybe the safer course would be for us to separate the committee report, redo it, and insert into the committee report the information that I think is required by Chapter 37-112. I don't think that's an unreasonable request."

Senator Cobb then rose and stated:

"Mr. President, I believe that the chairman of the committee, after having read the law, has indicated that there is not a change from the Council on Revenues' estimate, and unless there is such a change, that matter is not required to be disclosed. But if there is such a change, I would assume; as a matter of law and, of course, it would be contained either in the standing committee report or in a separate financial plan submitted to the Senate and debated."

Senator Cayetano then replied:

"Mr. President, I really cannot understand reluctance to disclose the information. If you recall, this entire section was rewritten to conform with the spirit of the Constitutional Convention and the amendments proposed by that Convention, which basically provided for full disclosure of of facts on which the Legislature makes decisions.

"Am I to understand, (1) that it is the position of the chairman that this information does not have to be contained in the committee report, and (2) that he will keep it a secret from the members of this body who have not had the opportunity to engage in the budget negotiations and not disclose this information until debate is had on the budget?" It that the position of the chairman?"

The President replied:

"That is his response to your inquiry."

Senator Cayetano then replied:

"Is that the position, Mr. President?"

The President replied:

"That is correct."

Senator Cayetano concluded his remarks to the Chair stating:

"Thank you, Mr. President."

At 11:44 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:45 o'clock p.m.

At this time, Senator Carpenter rose and stated:

"Mr. President, now that House Bill No. 1, H.D. 1, S.D. 1, C.D. 1, has

been placed on our desks, I believe it is a matter of public record, is it not?"

The President replied:

"That is correct, Senator Carpenter."

Senator Carpenter then continued:

"Mr. President, in that event, may I request of the Chair and the appropriate committee that all pertinent worksheets or copies of worksheets that comprise the basis for this budget, H.B. 1, H.D. 1, S.D. 1, C.D. 1, be made available to six Senators -- Abercrombie, Cayetano, Toguchi, Kawasaki, Fernandes Salling and Carpenter -- for the purpose of being better informed, so that we can make a more informed and enlightened decision in determining whether or not we should approve or disapprove. And that, Mr. President, is in accordance with Chapter 92, more specifically, Section 92-50 and 92-51. May we have a response from the Chair, please?"

The President replied:

"I believe that inquiry should be taken up with the Committee on Ways and Means. In terms of the worksheets, the worksheets are for the use of the members of the Ways and Means Committee and it will be up to the chairman whether or not he feels that such information should be released at this time."

Senator Carpenter then stated:

"May I then, through your good office, request of the chairman if he would respond to that question?"

The question was posed and Senator Yamasaki replied:

"Mr. President, I don't think that these worksheets can be made available at this time."

Senator Carpenter then continued:

"Mr. President, may I ask a question of the Ways and Means Committee chairman, and I'll ask it through you, do the worksheets ultimately become an implementing mechanism for that which we have before us in the form or H.B. 1, H.D. 1, S.D. 1, C.D. 1, in terms of implementing guidelines for the administration in carrying out the purposes of this budget before us?"

Senator Yamasaki replied:

"Yes, Mr. President. A set of the worksheets are sent to the Department of Budget and Finance."

Senator Carpenter then continued:

"Then, can we conclude, Mr. President that the worksheets are very vital to the implementation of this budget before us?"

Senator Yamasaki replied:

"Mr. President, I'm not so sure whether the worksheets are vital to the implementation of the budget, but the Department of Budget and Finance would have all the details on how allocation of the budget is made."

Senator Carpenter then stated:

"I understand. Mr. President do the worksheets not also break down, within the sub-numbers of the accounts, explaining the programs and where the savings might be affected in the various positions that might be changed or in question. Will you ask that of the chairman please?"

Senator Yamasaki replied:

"Mr. President, even the chairman of the committee does not even look into the worksheets. The staff looks into the worksheets when they are compiling the figures on the respective programs. We look at the specific numbers in general."

Senator Carpenter then asserted:

"Mr. President, I believe that the worksheets are a vital part in implementing the budget, and as they are a vital part in implementing the budget that will cost the taxpayers some 3.2 billion and it will require each member of this body to be competent to speak to the various portions of the budget, and it would certainly enable at least six Senators, whom I mentioned earlier, a better opportunity to make better policy decisions on behalf of the citizens of this state. Can I take it at this point that they are being denied access to these documents?"

The President replied:

"The Chair would like to suggest to the Senator that he make arrangements for possibly getting those worksheets. Whatever procedures are necessary to accomplish that particular objective, the Chair would suggest a discussion with the chairman of Ways and Means for some

amicable way of working them out. I hope this will enable the getting of information that anyone in this body would like to seek."

Senator Carpenter then stated:

"All right. Can we assume that in accordance with subsection 92-51 that at the commencement of tomorrow's workday that those records will be made available to us?"

The President replied in the affirmative and Senator Carpenter continued:

"And we can peruse them?"

The President then replied:

"Yes. At this time, and quite germane to this particular point, the Chair would like to recommend that any discussion on the budget take place on Friday at the opening of the session so as to allow everyone an opportunity to express fully, his or her concerns. Hopefully, any information that is necessary to justify a position can be obtained from the various sources, in particular a discussion with the chairman of Ways and Means, with reference to the worksheets."

Senator Carpenter then stated:

"I think I understand and I appreciate and respect that. Mr. President, I'm not trying to conduct a discussion on the budget at this time. I'm merely asking that could at least six of the individuals, whom I named earlier, be provided access to the worksheets so that we may make a more informed judgement when the subject matter is discussed at the appropriate hour."

The President replied:

"I believe that the chairman has suggested that he is considering the matter and I think the appropriate thing is to have a discussion with him relative to the release of the information that is necessary to make an intelligent decision."

Senator Carpenter then continued:

"Perhaps, Mr. President, we can clear this matter right now if the chairman of the committee would tell us that we could have access to it at the commencement of tomorrow's working day. I would appreciate a response, please."

At this time, Senator Uwayne rose

and stated:

"Mr. President, I appreciate your response to the previous speaker. However, your past practice has been in giving the prerogative to the chairman of each subject matter committee. I think, therefore, that the decision whether or not the worksheets shall be made available to any member is the chairman's prerogative. And, as a member of the Ways and Means Committee, I am strongly recommending to the chairman that we do not make this information available to the six Senators! Thank you."

Senator Carpenter then stated:

"Mr. President, may I have a response from the chairman of the committee?"

The President then asserted:

"I think that the inquiry is to the chairman as to whether or not he would entertain such an inquiry."

Senator Yamasaki then replied:

"Mr. President, the worksheets that are referred to here are hundreds of pages of sheets that cover details of specific program areas, and if we were to make copies of these worksheets, it would probably take weeks...probably after adjournment."

Senator Carpenter then continued:

"Mr. President, I think all we're asking for is access to the worksheets. If a copy is easier, fine. If a copy is not easier, access would be more than adequate. So, Mr. President, could I please have a response from the chairman?"

Senator Yamasaki then replied:

"Mr. President, as you know, I think the previous chairman of the committee knows that after the session is over, the staff, after a hard month's work, we usually give them more than a week or two of rest. And, after they have been given their time to rest, then, they are given the time to work on the worksheets so that they can be sent up to the Department of Budget and Finance.

"Since there is so much detailed information in each of the program areas and in each of the line items, I think that this is an unreasonable request that is being made here. I think that the six of them, the people for whom these worksheets are being

requested, they are intelligent individuals, and I'm sure that they are only seeking these worksheets for other purposes than to just peruse them and to make a group determination as to what the budget contains in H.B. No. 1."

Senator Carpenter then queried:

"Mr. President, I'm not sure if the response is 'yes' or 'no.'"

The President replied:

"I think the answer is 'no.'"

Senator Carpenter then stated:

"Mr. President, may I just say that I am surprised that the worksheets aren't together; otherwise, how could we get the numbers that finally evolved into House Bill No. 1, H.D. 1, S.D. 1, C.D. 1? The worksheets would obviously have to be in order to produce this document for us, and, Mr. President, that is the set of worksheets that we ask to have access to, to gather information so that we may make a more enlightened decision as regards the final outcome.

"Mr. President, if I may, I'd like to extend the request not only from the six individuals, but also on behalf of the other eighteen members of this body."

The President then stated:

"I'm not sure exactly what response you are looking for, Senator Carpenter."

Senator Carpenter then replied:

"I think you already gave the answer. The answer was 'no.' Is that correct?"

The President then replied:

"For the record, the answer was 'no.'"

At this time, Senator Toguchi rose and stated:

"Mr. President, as you know, I'd just like to get a little more specific on that request. Very quickly, let's take, for example, EDN 105, which is the Education area. The budget for that area in terms of money amounts, we're talking about \$162 million; therefore, the total for the biennium, approximately \$325 million.

"Now, from what I have before me, the budget, all I see before EDN 105

is a summary. I have no idea as to what some of the details that have gone into that EDN 105. I can go on and on with the Education budget, which is an approximate \$370 million budget per year. How do you expect us to support the budget when the debate comes up, if we do not have this information prior to the debates?

"We're talking about a budget. That's a thick document here, and I think it's unreasonable for you, for the Ways and Means chairman, for any of you here, to expect us to vote for a budget when we don't even know what makes up these summaries or these total numbers! I think it's necessary, prior to any kind of a debate to know what's inside of this budget.

"Another point, Mr. President, in working with the budget in past years, I also know that the Department of Education, in implementing their budget, gets the worksheet from the Legislature. It's a public document. It's a document that's going to be binding on the Department of Education! They have to follow that! It's part of this budget document summaries here; and they'll follow it. Are we saying here, this evening, that we are to support this budget even before we know what the details are?"

The President replied:

"Senator Toguchi, I wonder if the Chair could implore you that perhaps we can discuss trying to get some information back to you later. Time is running and we have several other measures to take care of, so if you would yield the floor, the Chair would appreciate it."

Senator Toguchi then stated:

"Okay, just one last thing, then, Mr. President. I am very concerned and I was going to add more things, but I am very concerned about the details."

The President then replied:

"Thank you very much, Senator Toguchi."

STANDING COMMITTEE REPORTS

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 974) recommending that Senate Resolution No. 64 be referred to the Committee on Legislative Management.

On motion by Senator Cobb, second-

ed by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 64, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF LAWS BASED ON AGE," was referred to the Committee on Legislative Management.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 975) recommending that Senate Resolution No. 80 be referred to the Committee on Legislative Management.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 80, entitled: "SENATE RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE TO APPOINT AN INTERIM COMMITTEE TO REVIEW CAMPAIGN SPENDING LAWS," was referred to the Committee on Legislative Management.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 976) recommending that Senate Resolution No. 91 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 91, entitled: "SENATE RESOLUTION REQUESTING A STUDY BY THE FAMILY COURT OF THE ENFORCEMENT OF VISITATION RIGHTS OF DIVORCED PARENTS," was adopted.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 977) recommending that Senate Concurrent Resolution No. 77 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 77, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE EQUALITY OF WOMEN," was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 978) recommending that the Senate advise and consent to the nomination of Nicholas W. Teves, Jr., to the Board of Electricians and Plumbers, in accordance with Governor's Message No. 277.

By unanimous consent, action on Stand. Com. Rep. No. 978 and Gov. Msg. No. 277 was deferred until Thursday, April 21, 1983.

Senator Uwaine, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 979) recommending that the Senate advise and consent to the nomination of Ryokichi Higashionna, Ph.D., as Director of Transportation, in accordance with Governor's Message No. 286.

By unanimous consent, action on Stand. Com. Rep. No. 978 and Gov. Msg. No. 286 was deferred until Thursday, April 21, 1983.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 980) recommending that Senate Concurrent Resolution No. 16, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 16, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE HAWAII PENAL CODE," was adopted.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 981) recommending that Senate Resolution No. 101 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 101, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII SMALL BUSINESS ADVISORY COMMITTEE AND THE STATE ATTORNEY GENERAL'S OFFICE TO JOINTLY DEVELOP EQUAL ACCESS TO JUSTICE LEGISLATION FOR THE STATE OF HAWAII," was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 982) recommending that the Senate advise and consent to the nominations of Eve Clute and Rex R. Ball, to the Board of Massage, in accordance with Governor's Message No. 278.

By unanimous consent, action on Stand. Com. Rep. No. 982 and Gov. Msg. No. 278 was deferred until Thursday, April 21, 1983.

Senator Aki, for the Committee on Culture and Arts, presented a report (Stand. Com. Rep. No. 983) recommending that Senate Resolution No. 78, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 78, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO THE ESTABLISHMENT OF AN ARTS CENTER AT THE LINEKONA SCHOOL SITE," was adopted.

Senator Aki, for the Committee on Culture and Arts, presented a report (Stand. Com. Rep. No. 984) recommending that Senate Concurrent Resolution No. 62, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 62, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE ESTABLISHMENT OF AN ARTS CENTER AT THE LINEKONA SCHOOL SITE," was adopted.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 985) recommending that House Bill No. 72, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 985 and H.B. No. 72, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE SERVICES," was deferred until Friday, April 22, 1983.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 986) recommending that the Senate advise and consent to the nominations of Charles M. Saiki, Frank G. Stone, Jr., Reginald Young, D.Sc., and Dennis Tulang, to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, in accordance with Governor's Message No. 108.

By unanimous consent, action on Stand. Com. Rep. No. 986 and Gov. Msg. No. 108 was deferred until Thursday, April 21, 1983.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 987) recommending that Senate Concurrent Resolution No. 25, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 25, S.D. 1, entitled: "SENATE CONCURRENT

RESOLUTION REQUESTING THE REMOVAL OF K-POI RADIO TOWER FROM KALIHI VALLEY," was adopted.

Senator Kawasaki, for the Committee on Government Operations and County Relations, presented a report (Stand. Com. Rep. No. 988) recommending that Senate Resolution No. 33, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 33, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE REMOVAL OF K-POI RADIO TOWER FROM KALIHI VALLEY," was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 989) recommending that Senate Resolution No. 122 be referred to the Committee on Legislative Management.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 122, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE ADVISABILITY OF ESTABLISHING A BOARD UNDER THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO LICENSE PHYSICAL THERAPISTS AND PHYSICAL THERAPIST ASSISTANTS AND REGULATE THE PRACTICE OF PHYSICAL THERAPY," was referred to the Committee on Legislative Management.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 990) recommending that Senate Concurrent Resolution No. 101 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 101, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE ADVISABILITY OF ESTABLISHING A BOARD UNDER THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO LICENSE PHYSICAL THERAPISTS AND PHYSICAL THERAPIST ASSISTANTS AND REGULATE THE PRACTICE OF PHYSICAL THERAPY," was adopted.

Senator Solomon, for the Committee on Education, presented a report (Stand. Com. Rep. No. 991) recommending that the Senate advise and

consent to the nominations of the following:

Flora M. Shota and Sharon Bazzell, to the Library Advisory Commission, County of Kauai, in accordance with Governor's Message No. 230;

Kerry Yukio Ogawa, Edwin T. Silva, Penny Lou Endo and Harriet Anne Borton, to the Library Advisory Commission, County of Maui, in accordance with Governor's Message No. 264; and

Hideo Kuniyoshi and Diana B. Kahler, to the Library Advisory Commission, County of Hawaii, in accordance with Governor's Message No. 280.

By unanimous consent, action on Stand. Com. Rep. No. 991 and Gov. Msg. Nos. 230, 264 and 280 was deferred until Thursday, April 21, 1983.

Senator Solomon, for the Committee on Education, presented a report (Stand. Com. Rep. No. 992) recommending that Senate Concurrent Resolution No. 98 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 992 and S.C.R. No. 98, entitled: "SENATE CONCURRENT RESOLUTION URGING THE U.S. GENERAL SERVICES ADMINISTRATION TO EXPEDITE STATE ACQUISITION OF FEDERAL LAND AT SALT LAKE, OAHU, FOR THE SITE OF THE SALT LAKE/MOANALUA COMMUNITY LIBRARY," was deferred until Thursday, April 21, 1983.

Senator Solomon, for the Committee on Education, presented a report (Stand. Com. Rep. No. 993) recommending that Senate Resolution No. 115 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 993 and S.R. No. 115, entitled: "SENATE RESOLUTION URGING THE U.S. GENERAL SERVICES ADMINISTRATION TO EXPEDITE STATE ACQUISITION OF FEDERAL LAND AT SALT LAKE, OAHU, FOR THE SITE OF THE SALT LAKE/MOANALUA COMMUNITY LIBRARY," was deferred until Thursday, April 21, 1983.

Senator Solomon, for the Committee on Education, presented a report (Stand. Com. Rep. No. 994) recommending that Senate Concurrent Resolution No. 99 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 994 and S.C.R. No. 99, entitled: SENATE CONCURRENT RESOLUTION RELATING TO THE ESTABLISHMENT OF A PUBLIC LIBRARY PORTASTRUCTURE IN THE MOANALUA-SALT LAKE AREA," was deferred until Thursday, April 21, 1983.

Senator Solomon, for the Committee on Education, presented a report (Stand. Com. Rep. No. 995) recommending that Senate Concurrent Resolution No. 90, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 90, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A STUDY REGARDING THE FEASIBILITY OF ALLOWING RETIREMENT BENEFITS FOR JOB-SHARING TEACHERS NEARING RETIREMENT AGE IN THE DEPARTMENT OF EDUCATION," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 996) recommending that Senate Concurrent Resolution No. 118 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 118, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONGRESS AND PRESIDENT OF THE UNITED STATES TO AUTHORIZE THE NATIONAL AQUACULTURE ACT OF 1980," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 997) recommending that Senate Concurrent Resolution No. 111 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 111, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF MAKING HAWAII A CENTER FOR THE INSURANCE BUSINESS," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 998) recommending that Senate Resolution No. 142 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 142, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF MAKING HAWAII A CENTER FOR THE INSURANCE BUSINESS," was adopted.

Senators Uwaine and Chang, for the Committee on Transportation and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 999) recommending that House Bill No. 187, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Soares and carried the joint report of the Committees was adopted and H.B. No. 187, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 22, 1983.

Senator Hagino, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1000) recommending that Senate Resolution No. 127 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 127, entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO PROVIDE ADDITIONAL ASSISTANCE TO HAWAII'S BEEF PRODUCERS," was adopted.

Senator Hagino, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1001) recommending that Senate Concurrent Resolution No. 104 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 104, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO PROVIDE ADDITIONAL ASSISTANCE TO HAWAII'S BEEF PRODUCERS," was adopted.

Senator Hagino, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1002) recommending that the Senate advise and consent to the nominations of the following:

Katsumi Higa, Barry Brennan,

Ph.D., Mark D. Merlin, Ph.D., to the Advisory Committee on Pesticides, in accordance with Governor's Message No. 82;

Stanley T. Tomono, to the Advisory Committee on Agricultural Products, in accordance with Governor's Message No. 162; and

Darryl K.H. Choy, Charles Y. Nagamine and James K. Ikeda, to the Advisory Committee on Pesticides, in accordance with Governor's Message No. 257.

By unanimous consent, action on Stand. Com. Rep. No. 1002 and Gov. Msg. Nos. 82, 162 and 257 was deferred until Thursday, April 21, 1983.

Senator Hagino, for the majority of the Committee on Federal Relations, presented a report (Stand. Com. Rep. No. 1003) recommending that Senate Concurrent Resolution No. 59, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.C.R. No. 59, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RESPECTFULLY REQUESTING THE CONGRESS OF THE UNITED STATES OF AMERICA TO DISALLOW ADDITIONAL AID TO EL SALVADOR," was adopted.

Senator Hagino, for the Committee on Federal Relations, presented a report (Stand. Com. Rep. No. 1004) recommending that Senate Concurrent Resolution No. 63 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 63, entitled: "SENATE RESOLUTION REQUESTING THAT THE UNITED STATES SENATE EXPEDITIOUSLY ADVISE AND CONSENT TO THE UNITED STATES PACIFIC ISLANDS FRIENDSHIP TREATIES," was adopted.

Senator Hagino, for the Committee on Federal Relations, presented a report (Stand. Com. Rep. No. 1005) recommending that House Concurrent Resolution No. 32, H.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.C.R. No. 32, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING PRESIDENT RONALD REAGAN, SECRETARY OF

STATE GEORGE P. SCHULTZ, AND THE UNITED STATES CONGRESS TO WORK TOWARD THE BANNING OF ALL FORMS OF NUCLEAR WEAPONS TESTING IN THE PACIFIC BASIN," was adopted.

Senator Hagino, for the Committee on Federal Relations, presented a report (Stand. Com. Rep. No. 1006) recommending that House Concurrent Resolution No. 33 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.C.R. No. 33, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A BAN ON THE DISPOSAL OF NUCLEAR WASTE MATERIALS IN THE PACIFIC BASIN," was adopted.

At this time, Senator Chang requested that Conference Committee Report No. 21 and Senate Bill No. 1279, S.D. 2, H.D. 2, C.D. 1, entitled, "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," be recommitted to the Committee on Conference, and the President, noting that there was no objection, so ordered.

At 11:56 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:57 o'clock p.m.

CONFERENCE COMMITTEE REPORTS

Senator Chang, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1279, S.D. 2, H.D. 2, C.D. 1, presented a report (Conf. Com. Rep. No. 70) recommending that S.B. No. 1279, S.D. 2, H.D. 2, C.D. 1, as amended in C.D. 2, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 70 and S.B. No. 1279, S.D. 2, H.D. 2, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 387, H.D. 2, presented a report (Conf. Com. Rep. No. 71) recommending that H.B. No. 387, H.D. 2, S.D. 2, as amended in C.D. 1, pass

Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 71 and H.B. No. 387, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 45, H.D. 2, presented a report (Conf. Com. Rep. No. 72) recommending that H.B. No. 45, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 72 and H.B. No. 45, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1190, H.D. 2, presented a report (Conf. Com. Rep. No. 73) recommending that H.B. No. 1190, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 73 and H.B. No. 1190, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY FARM LOANS," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 670, H.D. 1, presented a report (Conf. Com. Rep. No. 74) recommending that H.B. No. 670, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 74 and H.B. No. 670, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee

on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 5, H.D. 1, presented a report (Conf. Com. Rep. No. 75) recommending that H.B. No. 5, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 75 and H.B. No. 5, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 236, presented a report (Conf. Com. Rep. No. 76) recommending that H.B. No. 236, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 76 and H.B. No. 236, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 225, H.D. 1, presented a report (Conf. Com. Rep. No. 77) recommending that H.B. No. 225, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 77 and H.B. No. 225, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 702, H.D. 2, presented a report (Conf. Com. Rep. No. 78) recommending that H.B. No. 702, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15 of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 78 and H.B. No. 702, H.D.

2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," was deferred for a period of 48 hours.

At this time the President stated:

"At this time, the Chair would like to announce that the Chair was in error this morning, with reference to Senate Bill No. 418, S.D. 1, H.D. 1, relating to the Kona Airport.

"Under Rule 63-2, the rule specifically states that when a motion for reconsideration has been decided by vote, that vote shall not be reconsidered. Therefore, the measure lies on the floor for Final Reading."

In accordance therewith, the President discharged the Managers who were appointed on the part of the Senate.

Senator Cobb then rose and stated:

"Mr. President, a point of information please. Could we have the clocking time for the budget, please?"

The President replied:

"Yes, the clocking time for the State Budget was at 9:07 p.m. this evening."

Senator Carpenter then rose and stated:

"Mr. President, I'd like to make a note that the budget was not available from 11:03 to 11:09 when the clerks and staff removed it from the desks to do some maneuver, but subsequently brought them back in about nine minutes."

The President then asserted:

"The budget bill that was presented on the floor was decked at 9:07 p.m. and the committee report followed."

ADJOURNMENT

At 12:00 o'clock midnight, on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, April 21, 1983.

FIFTY-NINTH DAY

Thursday, April 21, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 12:15 o'clock p.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend O.W. Efurd, Pastor of Mililani Baptist Church, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Fifty-Eighth Day.

Senator Toguchi then made the following introduction to the members of the Senate:

"Mr. President, it's my pleasure and honor to extend, on behalf of the State Senate, our congratulations and best wishes to the Polynesian Cultural Center on its 20th anniversary celebration.

"Every year, more people visit the center than any other Hawaii attraction. The 42-acre living museum in Laie is not only Hawaii's top visitor attraction but a significant gathering place for all cultural exchanges which include Hawaii, Fiji, Tahiti, Samoa, Tonga, New Zealand, and the Marquesas. The center has provided employment to all ethnic groups and also to the students of the BYU campus.

"We would like to extend congratulations to the Polynesian Cultural Center on their 20th anniversary.

"Mr. President, at this time, I'd like to introduce our visitors: Mr. George Cannon, the vice president, board of directors of the center; Ms. Sharon Ishii, director of sales and marketing; and Mr. Cy Bridges, manager of the center.

"We also have in the audience, Mr. Reg Schwenke, the information officer.

"Before I ask for a short recess, I'd like to add that I am a graduate of BYU Hawaii."

Senators Fernandes Salling and George presented leis to Mr. Cannon and Mr. Bridges and Senator Toguchi presented the Senate Certificate.

At 12:28 o'clock p.m., the Senate

stood in recess subject to the call of the Chair.

The Senate reconvened at 12:33 o'clock p.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 673 to 721) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 673) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 3, H.D. 1, and the Speaker on April 20, 1983, discharged the Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 674) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 913, H.D. 1, and the Speaker on April 20, 1983, discharged the Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 675) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 80, H.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 676) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 81, H.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 677) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 752, H.D. 1, was placed on file.

A communication from the House (Hse. Com. No. 678) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made

by the Senate to House Bill No. 765, was placed on file.

A communication from the House (Hse. Com. No. 679) informing the Senate that the House reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 1568, was placed on file.

A communication from the House (Hse. Com. No. 680), informing the Senate that the amendments proposed by the Senate to House Bill No. 34, H.D. 1, were agreed to by the House; and H.B. No. 34, H.D. 1, S.D. 2, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 681), informing the Senate that the amendments proposed by the Senate to House Bill No. 69, H.D. 2, were agreed to by the House; and H.B. No. 69, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 682), informing the Senate that the amendments proposed by the Senate to House Bill No. 114, H.D. 2, were agreed to by the House; and H.B. No. 114, H.D. 2, S.D. 2, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 683), informing the Senate that the amendments proposed by the Senate to House Bill No. 239, were agreed to by the House; and H.B. No. 239, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 684), informing the Senate that the amendments proposed by the Senate to House Bill No. 245, were agreed to by the House; and H.B. No. 245, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 685), informing the Senate that the amendments proposed by the Senate to House Bill No. 253, H.D. 1, were agreed to by the House; and H.B. No. 253, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 686), informing the Senate that the amendments proposed by the Senate to House Bill No. 269, were agreed to by the House; and H.B. No. 269, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 687), informing the Senate that the amendments proposed by the Senate to House Bill No. 272, H.D. 1, were agreed to by the House; and H.B. No. 272, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 688), informing the Senate that the amendments proposed by the Senate to House Bill No. 280, were agreed to by the House; and H.B. No. 280, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 689), informing the Senate that the amendments proposed by the Senate to House Bill No. 282, H.D. 1, were agreed to by the House; and H.B. No. 282, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 690), informing the Senate that the amendments proposed by the Senate to House Bill No. 287, H.D. 2, were agreed to by the House; and H.B. No. 287, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 691), informing the Senate that the amendments proposed by the Senate to House Bill No. 289, H.D. 1, were agreed to by the House; and H.B. No. 289, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 692), informing the Senate that the amendments proposed by the Senate to House Bill No. 304, were agreed to by the House; and H.B. No. 304, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 693), informing the Senate that the amendments proposed by the Senate to House Bill No. 311, H.D. 1, were agreed to by the House; and H.B. No. 311, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 694), informing the Senate that the amendments proposed by the Senate to House Bill No. 319, H.D. 1, were agreed to by the House; and H.B. No. 319, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 695), informing the Senate that the amendments proposed by the Senate to House Bill No. 322, H.D. 1, were agreed to by the House; and H.B. No. 322, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 696), informing the Senate that the amendments proposed by the Senate to House Bill No. 325, were agreed to by the House; and H.B. No. 325, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 697), informing the Senate that the amendments proposed by the Senate to House Bill No. 389, H.D. 1, were agreed to by the House; and H.B. No. 389, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 698), informing the Senate that the amendments proposed by the Senate to House Bill No. 497, H.D. 1, were agreed to by the House; and H.B. No. 497, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 699), informing the Senate that the amendments proposed by the Senate to House Bill No. 519, H.D. 1, were agreed to by the House; and H.B. No. 519, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 700), informing the Senate that the amendments proposed by the Senate to House Bill No. 708, H.D. 1, were agreed to by the House; and H.B. No. 708, H.D. 1, S.D. 2, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 701), informing the Senate that the amendments proposed by the Senate to House Bill No. 710, H.D. 1, were agreed to by the House; and H.B. No. 710, H.D. 1, S.D. 2, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 702), informing the Senate that the amendments proposed by the Senate to House Bill No. 713, H.D. 1, were agreed to by the House; and H.B. No. 713, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 703), informing the Senate that the amendments proposed by the Senate to House Bill No. 768, H.D. 1, were agreed to by the House; and H.B. No. 768, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 704), informing the Senate that the amendments proposed by the Senate to House Bill No. 810, H.D. 2, were agreed to by the House; and H.B. No. 810, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 705), informing the Senate that the amendments proposed by the Senate to House Bill No. 811, H.D. 1, were agreed to by the House; and H.B. No. 811, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 706), informing the Senate that the amendments proposed by the Senate to House Bill No. 812, H.D. 1, were agreed to by the House; and H.B. No. 812, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 707), informing the Senate that the amendments proposed by the Senate to House Bill No. 813, were agreed to by the House; and H.B. No. 813, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 708), informing the Senate that the amendments proposed by the Senate to House Bill No. 817, H.D. 1, were agreed to by the House; and H.B. No. 817, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 709), informing the Senate that the amendments proposed by the Senate to House Bill No. 866, H.D. 1, were agreed to by the House; and H.B. No. 866, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 710), informing the Senate that the amendments proposed by the Senate to House Bill No. 1028, H.D. 1, were agreed to by the House; and H.B. No. 1028, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 711), informing the Senate that the amendments proposed by the Senate to House Bill No. 1061, H.D. 1, were agreed to by the House; and H.B. No. 1061, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 712), informing the Senate that the amendments proposed by the Senate to House Bill No. 1087, H.D. 2, were agreed to by the House; and H.B. No. 1087, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 713), informing the Senate that the amendments proposed by the Senate to House Bill No. 1088, H.D. 1, were agreed to by the House; and H.B. No. 1088, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 714), informing the Senate that the amendments proposed by the Senate to House Bill No. 1090, were agreed to by the House; and H.B. No. 1090, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 715), informing the Senate that the amendments proposed by the Senate to House Bill No. 1115, H.D. 1, were agreed to by the House; and H.B. No. 1115, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 716), informing the Senate that the amendments proposed by the Senate to House Bill No. 1123, H.D. 2, were agreed to by the House; and H.B. No. 1123, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 717), informing the Senate that the amendments proposed by the Senate to House Bill No. 1231, H.D. 1, were agreed to by the House; and H.B. No. 1231, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 718), informing the Senate that the amendments proposed by the Senate to House Bill No. 1243, H.D. 1, were agreed to by the House; and H.B. No. 1243, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 719), informing the Senate that the amendments proposed by the Senate to House Bill No. 1402, H.D. 2, were agreed to by the House; and H.B. No. 1402, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 720), informing the Senate that the amendments proposed by the Senate to House Bill No. 1583, H.D. 2, were agreed to by the House; and H.B. No. 1583, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 721), informing the Senate that the amendments proposed by the Senate to House Bill No. 1602, H.D. 1, were agreed to by the House; and H.B. No. 1602, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1007) informing the Senate that Conference Committee Report Nos. 63 to 78, Standing Committee Report Nos. 974 to 1049 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

At 12:32 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:33 o'clock p.m.

Senators Hagino and Cobb, for the Committee on Agriculture and the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1008) recommending that Senate Concurrent Resolution No. 74 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1008 and S.C..R. No. 74, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE RAMIFICATIONS OF RELOCATING THE WEIGHTS AND MEASURES FUNCTION FROM THE DEPARTMENT OF AGRICULTURE TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was deferred until Friday, April 22, 1983.

Senators Hagino and Cobb, for the Committee on Agriculture and the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1009) recommending that Senate Resolution No. 95 be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand Com. Rep. No. 1009 and S.R. No. 95, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE RAMIFICATION OF RELOCATING THE WEIGHTS AND MEASURES FUNCTION FROM THE DEPARTMENT OF AGRICULTURE TO

THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was deferred until Friday, April 22, 1983.

Senator Hagino, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1010) recommending that Senate Concurrent Resolution No. 58, as amended in S.D. 1 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1010 and S.C..R. No. 58, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE EXEMPTION OF HAWAII FROM THE FEDERAL LAW ASSESSING DAIRY FARMERS MONEYS FROM THE GROSS PROCEEDS FOR EACH 100 POUNDS OF MILK MARKETED COMMERCIALY TO OFFSET THE NATIONWIDE MILK SURPLUS," was deferred until Friday, April 22, 1983.

Senator Hagino, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1011) recommending that Senate Resolution No. 73, as amended in S.D. 1 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1011 and S.R. No. 73, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE EXEMPTION OF HAWAII FROM THE FEDERAL LAW ASSESSING DAIRY FARMERS MONEYS FROM THE GROSS PROCEEDS FOR EACH 100 POUNDS OF MILK MARKETED COMMERCIALY TO OFFSET THE NATIONWIDE MILK SURPLUS," was deferred until Friday, April 22, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1012) recommending that Senate Concurrent Resolution No. 82 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1012 and S.C..R. No. 82, entitled: "SENATE CONCURRENT RESOLUTION URGING THE ENVIRONMENTAL PROTECTION AGENCY AND THE HAWAII STATE DEPARTMENT OF HEALTH TO RELAX WATER QUALITY STANDARDS FOR SUGAR PRODUCERS ON HAWAII'S HILO-HAMAKUA COAST," was deferred until Friday, April 22, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1013) recommending that Senate Resolution No. 107 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1013 and S.R.

No. 107, entitled: "SENATE RESOLUTION URGING THE ENVIRONMENTAL PROTECTION AGENCY AND THE HAWAII STATE DEPARTMENT OF HEALTH TO RELAX WATER QUALITY STANDARDS FOR SUGAR PRODUCERS ON HAWAII'S HILO-HAMAKUA COAST," was deferred until Friday, April 22, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1014) recommending that Senate Concurrent Resolution No. 68 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1014 and S.C.R. No. 68, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES ARMY TO REPORT ON THE PROGRESS OF FIRE HAZARD MANAGEMENT FOR THE POHAKULOLOA TRAINING AREA, ISLAND OF HAWAII," was deferred until Friday, April 22, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1015) recommending that Senate Resolution No. 87 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1015 and S.R. No. 87, entitled: "SENATE RESOLUTION REQUESTING THE UNITED STATES ARMY TO REPORT ON THE PROGRESS OF FIRE HAZARD MANAGEMENT FOR THE POHAKULOLOA TRAINING AREA, ISLAND OF HAWAII," was deferred until Friday, April 22, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1016) recommending that Senate Concurrent Resolution No. 71 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1016 and S.C.R. No. 71, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE APPOINTMENT OF A SPECIAL TASK FORCE TO CONDUCT A STUDY EVALUATING THE HISTORIC PRESERVATION PROGRAM," was deferred until Friday, April 22, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1017) recommending that Senate Resolution No. 90 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1017 and S. R. No. 90, entitled: "SENATE RESOLUTION REQUESTING THE APPOINTMENT OF A SPECIAL TASK FORCE TO CONDUCT A STUDY EVALUATING THE HISTORIC PRESERVATION PROGRAM," was deferred until Friday, April 22, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1018) recommending that Senate Concurrent Resolution No. 93, as amended in S.D. 1 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1018 and S.C.R. No. 93, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONCERNING MAKUA AND KAHANAHAIKI," was deferred until Friday, April 22, 1983.

Senators Chang and Young, for the Committee on Ecology, Environment and Recreation and the Committee on Hawaiian Programs, presented a joint report (Stand. Com. Rep. No. 1019) recommending that Senate Concurrent Resolution No. 56 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1019 and S.C.R. No. 56, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO HISTORIC PRESERVATION AND HAWAIIAN AFFAIRS," was deferred until Friday, April 22, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1020) recommending that Senate Resolution No. 85, as amended in S.D. 1 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1020 and S.R. No. 85, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A BLUE RIBBON RISK ASSESSMENT TEAM TO CLINICALLY EVALUATE THE POTENTIAL HEALTH HAZARDS FACING HUMANS, AND INFANTS IN PARTICULAR, AS A RESULT OF RECENT HEPTACHLOR CONTAMINATION," was deferred until Friday, April 22, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1021) recommending that Senate Resolution No. 89 be adopted.

By unanimous consent, action on

Stand Com. Rep. No. 1021 and S.R. No. 89, entitled: "SENATE RESOLUTION RELATING TO ESTABLISHING AN INFORMATION OFFICE IN THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was deferred until Friday, April 22, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1022) recommending that Senate Resolution No. 81 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1022 and S.R. No. 81, entitled: "SENATE RESOLUTION REQUESTING A REPORT ON CORRECTIVE MEASURES FOR DANGEROUS CONDITIONS AT WAIANAE BOAT HARBOR," was deferred until Friday, April 22, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1023) recommending that Senate Resolution No. 41, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1023 and S.R. No. 41, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE USE OF HERBICIDES, PESTICIDES, TOXIC SPRAYS, AND SIMILAR CHEMICALS," was deferred until Friday, April 22, 1983.

Senator Chang, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1024) recommending that Senate Resolution No. 141 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1024 and S.R. No. 141, entitled: "SENATE RESOLUTION REQUESTING THE CORPS OF ENGINEERS TO CONDUCT A STUDY ON THE NEIGHBOR ISLANDS BEACH EROSION," was deferred until Friday, April 22, 1983.

Senator Hagino, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1025) recommending that Senate Resolution No. 102 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1025 and S.R. No. 102, entitled: "SENATE RESOLUTION RECOGNIZING THE FINANCIAL PLIGHT OF HAWAII'S FARMERS AND REQUESTING LENDING INSTITUTIONS TO IMPLEMENT

MEASURES TO DEFER OR REDUCE THE REPAYMENT AMOUNTS OF LOANS MADE TO CERTAIN FARMERS," was deferred until Friday, April 22, 1983.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1026) recommending that Senate Resolution No. 137 be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand Com. Rep. No. 1026 and S.R. No. 137, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON ECONOMIC DEVELOPMENT TO CONDUCT AN INTERIM STUDY ON SIGNIFICANT STATEWIDE INTEREST AFFECTED BY LAND USE RECLASSIFICATION," was deferred until Friday, April 22, 1983.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1027) recommending that House Concurrent Resolution No. 21 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1027 and H.C.R. No. 21, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF STRATEGIC PETROLEUM RESERVES IN HAWAII," was deferred until Friday, April 22, 1983.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1028) recommending that Senate Resolution No. 132 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1028 and S.R. No. 132, entitled: "SENATE RESOLUTION REQUESTING A DESIGN STUDY OF AN UNDERWATER CABLE SYSTEM FOR THE ELECTRICAL INTERCONNECTION OF THE ISLANDS OF MAUI AND MOLOKAI," was deferred until Friday, April 22, 1983.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 1029) recommending that House Concurrent Resolution No. 17 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1029 and H.C.R. No. 17, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY URGING THE PRESIDENT AND THE CONGRESS TO AUTHORIZE THE CONTINUED USE OF TAX-EXEMPT REVENUE BONDS AS THE PRIMARY SOURCE OF FUNDING

FOR HAWAII'S HULA MAE MORTGAGE LOAN PROGRAM," was deferred until Friday, April 22, 1983.

Senator Young, for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 1030) recommending that Senate Concurrent Resolution No. 79 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1030 and S.C.R. No. 79, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES, THE SECRETARY OF THE INTERIOR, THE SECRETARY OF DEFENSE AND ALL OTHERS CONCERNED TO DECLARE A MORATORIUM ON THE TRANSFER OF LANDS IN HAWAII," was deferred until Friday, April 22, 1983.

Senator Young, for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 1031) recommending that Senate Concurrent Resolution No. 108 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1031 and S.C.R. No. 108, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONTINUATION OF THE LEGISLATIVE AUDITOR'S INVENTORY OF LANDS IN THE PUBLIC TRUST AND THE POSSIBLE CONFLICTING CLAIMS MADE ON REVENUES DERIVED THEREFROM," was deferred until Friday, April 22, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1032) recommending that S.R. No. 125, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1032 and S.R. No. 125, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII SMALL BUSINESS ADVISORY COMMITTEE AND OTHER BUSINESS GROUPS TO IDENTIFY SPECIFIC STATE ADMINISTRATIVE AGENCY RULES AND PROCEDURES WHICH ARE UNREASONABLY COSTLY OR BURDENSOME TO BUSINESS GENERALLY AND SMALL BUSINESS SPECIFICALLY," was deferred until Friday, April 22, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1033) recommending that S.C.R. No. 60, as amended in S.D. 1, be adopted.

By unanimous consent, action on

Stand Com. Rep. No. 1033 and S.C.R. No. 60, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INTERIM STUDY COMMITTEE TO UNDERTAKE A REVIEW OF THE HAWAII LAW AND RULES RELATING TO THE PRACTICE OF PSYCHOLOGY AND TO RECOMMEND APPROPRIATE AMENDMENTS," was deferred until Friday, April 22, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1034) recommending that Senate Resolution No. 75 be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand Com. Rep. No. 1034 and S.R. No. 75, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INTERIM STUDY COMMITTEE TO UNDERTAKE A REVIEW OF THE HAWAII LAW AND RULES RELATING TO THE PRACTICE OF PSYCHOLOGY AND TO RECOMMEND APPROPRIATE AMENDMENTS," was deferred until Friday, April 22, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1035) recommending that Senate Concurrent Resolution No. 51 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1035 and S.C.R. No. 51, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INTERIM STUDY ON DEFAULTS ON AGREEMENTS OF SALE," was deferred until Friday, April 22, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1036) recommending that Senate Resolution No. 66 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1036 and S.R. No. 66, entitled: "SENATE RESOLUTION REQUESTING AN INTERIM STUDY ON DEFAULTS ON AGREEMENTS OF SALE," was deferred until Friday, April 22, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1037) recommending that Senate Resolution No. 76, as amended in S.D. 1 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1037 and S.R.

No. 76, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO DETERMINE HOW PRIVATE MEDICAL INSURANCE MAY BE USED TO PROVIDE LONG-TERM CARE BENEFITS TO HAWAII'S ELDERLY PEOPLE," was deferred until Friday, April 22, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1038) recommending that Senate Resolution No. 57, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1038 and S.R. No. 57, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO REVIEW THE GENERAL SERVICE PRACTICES OF T.V. SYSTEMS INC.," was deferred until Friday, April 22, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1039) recommending that Senate Concurrent Resolution No. 45, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1039 and S.C.R. No. 45, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO REVIEW THE GENERAL SERVICE PRACTICES OF T.V. SYSTEMS INC.," was deferred until Friday, April 22, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1040) recommending that Senate Resolution No. 145 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1040 and S.R. No. 145, entitled: "SENATE RESOLUTION REQUESTING COORDINATED EFFORTS IN ENSURING COMPLIANCE OF UNLICENSED CONTRACTORS WITH THE HAWAII REVISED STATUTES," was deferred until Friday, April 22, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1041) recommending that Senate Concurrent Resolution No. 115 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1041 and

S.C.R. No. 115, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING COORDINATED EFFORTS IN ENSURING COMPLIANCE OF UNLICENSED CONTRACTORS WITH THE HAWAII REVISED STATUTES," was deferred until Friday, April 22, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1042) recommending that Senate Resolution No. 51, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1042 and S.R. No. 51, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE STUDY OF A RESIDENTIAL PROPERTY TRANSFER CODE," was deferred until Friday, April 22, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1043) recommending that Senate Concurrent Resolution No. 33, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1043 and S.R. No. 33, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STUDY OF A RESIDENTIAL PROPERTY TRANSFER CODE," was deferred until Friday, April 22, 1983.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1044) recommending that House Concurrent Resolution No. 91 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1044 and H.C.R. No. 91, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE NECESSITY AND FEASIBILITY OF A COMPREHENSIVE REVIEW OF THE HAWAII INSURANCE LAWS," was deferred until Friday, April 22, 1983.

Senator Kuroda, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1045) recommending that Senate Resolution No. 17, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1045 and S.R. No. 17, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY FOR CONSTRUCTION OF A CONVENTION CENTER," was deferred until Friday,

April 22, 1983.

Senator Kuroda, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1046) recommending that House Concurrent Resolution No. 57 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1046 and H.C.R. No. 57, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COMMERCIAL AND CABLE NETWORKS TO INCLUDE HAWAII IN THEIR DAILY NATIONAL WEATHER REPORTS,," was deferred until Friday, April 22, 1983.

Senators Cobb and Mizuguchi, for the Committee on Consumer Protection and Commerce and the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1047) recommending that House Concurrent Resolution No. 172, H.D. 1, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1047 and H.C.R. No. 172, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE STUDY BY THE LEGISLATIVE AUDITOR OF ALL CAUSES AND OTHER MATTERS, EVENTS, ORGANIZATIONS, INCLUDING LABOR, EMPLOYERS, GOVERNMENT, MEDICAL CARE AND REHABILITATION AND THE INSURANCE INDUSTRY WHICH MAY AFFECT THE COST OF WORKERS' COMPENSATION IN HAWAII," was deferred until Friday, April 22, 1983.

Senator Solomon, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 1048) recommending that Senate Resolution No. 136 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1048 and S.R. No. 136, entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE THE APPROPRIATE STATE AGENCY TO PROVIDE CHILD ABUSE AND NEGLECT PREVENTION SERVICES," was deferred until Friday, April 22, 1983.

Senators Hagino and Chang, for the Committee on Federal Relations and the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1049) recommending that Senate Resolution No. 61 be adopted.

By unanimous consent, action on Stand Com. Rep. No. 1049 and S.R. No. 61, entitled: "SENATE

RESOLUTION REQUESTING THE STATE TO AGGRESSIVELY PUSH FOR AN AGREEMENT WITH THE NAVY WHICH PROVIDES THAT THE STATE BE IMMEDIATELY NOTIFIED OF OCCURRENCES SUCH AS LEAKS OF RADIOACTIVE MATERIAL INTO PEARL HARBOR AND BE PERMITTED TO PERFORM INDEPENDENT MONITORING IMMEDIATELY AFTER SUCH RADIOLOGICAL ACCIDENTS OCCUR, AND ARRANGE TO PERFORM INDEPENDENT MONITORING ON A REGULAR BASIS," was deferred until Friday, April 22, 1983.

ORDER OF THE DAY

MATTERS DEFERRED
FROM APRIL 18, 1983

FINAL READING

Senate Bill No. 6, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 6, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," was deferred until Friday, April 22, 1983.

Senate Bill No. 368, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 368, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," was deferred until Friday, April 22, 1983.

Senate Bill No. 608, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 608, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL ASSISTANCE," was deferred until Friday, April 22, 1983.

THIRD READING

Standing Committee Report No. 917
(H.B. No. 1262, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 917 and H.B. No. 1262, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR CONSTRUCTION OF AN ETHANOL PLANT," was deferred until Friday, April 22, 1983.

FINAL READING

Conference Committee Report No. 1
(H.B. No. 274, H.D. 1, S.D. 1,

C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 1 was adopted and H.B. No. 274, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 6 (H.B. No. 502, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 6 was adopted and H.B. No. 502, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 7 (S.B. No. 236, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 7 was adopted and S.B. No. 236, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMED CONSENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 8 (S.B. No. 191, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 8 was adopted and S.B. No. 191, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 9 (S.B. No. 450, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Soares and carried, Conf. Com. Rep. No. 9 was adopted and S.B. No. 450, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM MANAGEMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:36 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:41 o'clock p.m.

Conference Committee Report No. 10 (H.B. No. 621, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 10 was adopted and H.B. No. 621, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPEECH PATHOLOGISTS AND AUDIOLOGISTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 12 (S.B. No. 55, S.D. 1, H.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 12 be adopted and S.B. No. 55, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

Senator Carpenter, in support of the measure, stated:

"Mr. President, I just want to commend the chairman of the committee for very tenaciously pursuing this bill over the last several years. I think he has done a pretty comprehensive job here.

"Recognizing that the bill does not take effect until 1986 ought to give this bill an opportunity, certainly, to be reviewed by some 33,000 corporations that exist in the State of Hawaii and then possibly be subject to amendment prior to fully being implemented. Thank you."

Senator Cobb also spoke for the measure and stated:

"Mr. President, I'd like to thank the Senator from the Big Island for his kind words and reflect his sentiments. As I understand, the Chamber (of Commerce) will be preparing a booklet outlining the changes in this law, as well as conducting a series of seminars, some of which I will be participating in, on the changes and I do expect amendments coming forth within the next three years to address not only the corporate law of Hawaii as it's been streamlined and modified, but also taking up the nonprofit area as well.

"In closing, I'd like to express my thanks also to the Law School of the State of Hawaii at the University, as well as the Bar Association for their valuable help in the preparation of this bill. Thank you."

Senator Abercrombie, also in support of the measure, said:

"Mr. President, speaking in favor of the bill and in doing so comment on the remarks of the previous speaker.

"Mr. President, there have been some journal reports, that is to say in the annals of the daily newspapers, with respect to so-called evaluations made of programs at the University, I might note that the Law School was cited in some of those reports as possibly not being rated sufficiently high to warrant continuation. The previous speaker just indicated the help that came from that area.

"My point, Mr. President, is that that kind of information gathering, the kind of assistance that the previous speaker just mentioned is available at a university precisely because it is a university. You must focus on the universal aspect of the work. In order to have a good university you must have a comprehensive program offering. To start dividing up, sectioning out, making boundaries, if you will, with respect to the University's programs is a dangerous and perilous course to undertake and I commend to the members' attention the previous speaker's remarks as we look at the University budget and we look at University philosophy, if you will, not only with the rest of this session, but in time to come."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 12 was adopted and S.B. No. 55, S.D. 1, H.D. 1, C.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII BUSINESS CORPORATION ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 255, S.D. 1, H.D. 2:

On motion by Senator Cobb, seconded by Senator Soares and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 255, S.D. 1, and S.B. No. 255, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS BROUGHT INTO THE STATE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 362, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 362, S.D. 1, and S.B. No. 362, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT PROGRAM OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 418, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 418, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KONA AIRPORT," was deferred until Friday, April 22, 1983.

Senate Bill No. 742, S.D. 2, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 742, S.D. 1, and S.B. No. 742, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DERELICT VEHICLE; SALE OF ABANDONED VEHICLES BY TOWING COMPANIES; AND MOTOR VEHICLE REPAIR BUSINESS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 756, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 756, and S.B. No. 756, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FILM MAKING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 907, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 907, and S.B. No. 907, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 993, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 993, and S.B. No. 993, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1075, S.D. 1, H.D. 2:

On motion by Senator Cobb, seconded by Senator Soares and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1075, S.D. 1, and S.B. No. 1075, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1092, S.D. 1, H.D. 2:

On motion by Senator Cobb, seconded by Senator Soares and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1092, and S.B. No. 1092, S.D. 1, H.D. 2, entitled: "A BILL

FOR AN ACT RELATING TO THE ATTORNEY GENERAL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

THIRD READING

House Bill No. 703, H.D. 1:

By unanimous consent, H.B. No. 703, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATE ENERGY," was recommitted to the Committee on Economic Development.

House Bill No. 1117:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1117, entitled: "A BILL FOR AN ACT RELATING TO STATE FAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 684:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 684, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD TENANT CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 527, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 527, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Cayetano and Kawasaki).

House Bill No. 914, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 914, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1531, H.D. 1:

By unanimous consent, action on H.B. No. 1531, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE," was deferred until Friday, April 22, 1983.

ADVISE AND CONSENT

Standing Committee Report No. 954 (Gov. Msg. No. 281):

Senator Cobb moved that Stand. Com. Rep. No. 954 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Hawaiian Homes Commission of the following:

Hoaliku Drake, term to expire December 31, 1985; and

Clarence K. Kamai and Linda K. Rosehill, terms to expire December 31, 1986,

seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 958 (Gov. Msg. Nos. 184, 185, and 186):

Senator Cobb moved that Stand. Com. Rep. No. 958 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of the following:

Cecilia C. Villafuerte, Mary Anne Migan, and Hiroshi Yamashita to the Hawaii Education Council, terms to expire December 31, 1986;

John A. Thompson to the Education Commission of the States, term to expire December 31, 1983;

Betty Hemphill to the Library Advisory Commission, City and County of Honolulu, term to expire December 31, 1983;

Ethelreda R. Kahalewai to the Library Advisory Commission, City and County of Honolulu, term to expire December 31, 1985; and

Roy J. Hutchinson and K. Russell Ho to the Library Advisory Commission, City and County of Honolulu, terms to expire December 31, 1986,

seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 959 (Gov. Msg. Nos. 109, 182, 110, 111, 183, 112, and 229):

Senator Cobb moved that Stand. Com. Rep. No. 959 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of the following:

Carl H. Okuyama to the Board of Planning and Economic Development, term to expire December 31, 1984;

Keith K. Crosson to the Board of Planning and Economic Development, term to expire December 31, 1986;

Donald M. Kuyper to the Board of Directors, Aloha Tower Development Corporation, term to expire December 31, 1986

Asahi Okamoto and Frank Goto to the Hawaii Fisheries Coordinating Council, terms to expire December 31, 1986;

Joseph 'Dolly' Makua to the Hawaii Fisheries Coordinating Council, term to expire December 31, 1986;

William W.L. Yuen to the Land Use Commission, term to expire December 31, 1986; and

Susumu Ono as Chairman, Board of Land and Natural Resources, term to expire December 31, 1986,

seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 960 (Gov. Msg. Nos. 282, 283, 284 and 285):

Senator Cobb moved that Stand. Com. Rep. No. 960 be received and

placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of the following:

Margaret P. Josiah, Peter Cabral, and James D. Williams to the Windward Oahu Subarea Health Planning Council, terms to expire December 31, 1986;

Richard Paul Bettini to the Waianae Coast Subarea Health Planning Council, term to expire December 31, 1984;

Glenn Fujihara, D.D.S., to the Waianae Coast Subarea Health Planning Council, term to expire December 31, 1986;

John Domen, Jr. and Melvin Dumancas to the Waianae Coast Subarea Health Planning Council, terms to expire December 31, 1985;

Agnes Jerome Murphy, Setsuo Furuno, Ph.D., and Myron W. Hatch to the State Planning Council on Developmental Disabilities, terms to expire December 31, 1986; and

Robert L. May, M.D., to the Board of Radiologic Technologists, term to expire December 1986,

seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:50 o'clock p.m. the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:55 o'clock p.m.

RECONSIDERATION OF ACTION TAKEN

Senator Kawasaki moved that the Senate reconsider its action taken on April 20, 1983 on S.C.R. No. 90, S.D. 1, seconded by Senator Carpenter.

Senator Kawasaki, in support of the reconsideration of action, stated:

"Mr. President, as you know, yesterday by a single motion, we passed unanimously the adoption of about a dozen very important resolutions which have great impact. This happens to be one of them and

I'd like to reconsider action on that.

"I trust that what happened yesterday would not happen again in this body. What had happened, as you recall, was that by a single motion we passed our vote on a number of very important resolutions having impact, as I stated earlier, and there was no particular reason to do this because these resolutions were not those actions that required that we pass or we vote on it one way or the other before the midnight deadline. These are resolutions. We had the time to vote on these even today or tomorrow, for that matter.

"The resolution I'm talking about is Senate Concurrent Resolution 90 and let me just point out some concerns that I have. I'd like to read the second paragraph of the committee report, and this is a resolution that emanated from the Committee on Education, and let me read the second paragraph: 'Your Committee finds that teachers nearing retirement age and wishing to ease into retirement from working full-time are interested in the job sharing program,' that is to say, these teachers are part-time teachers, 'but are currently participating because the reduced salary earnings adversely affect their retirement benefits. Your Committee further finds that a possible solution to this problem would be to allow teachers to contribute an amount to the retirement system based on their full-time salary and to be given a full year's credit toward retirement with their retirement pay to be computed on the basis of their full-time salary.'

"I think the instruction to this effect to the Department of Education to do this study amounts to pressure being brought upon the Department of Education, who perhaps may be desirous of retiring some of these teachers who are not up to standard or perhaps are approaching retirement age, etc. But, I think the way to encourage retirement is to provide for a teacher evaluation system that would encourage some of these teachers who are not quite up to standard to retire because the benefits are quite generous in this state. But to give them full-time service credit which was not earned by these part-time teachers and then give them the opportunity to enjoy retirement benefits on their having served theoretically on a full-time basis, I think, opens the door and sets a bad precedent for other employees who seek this kind of method to liberalize their retirement benefits.

"I think we're setting a bad precedent and believe this resolution should be reconsidered."

At 12:59 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:02 o'clock p.m.

The motion to reconsider the action was put by the Chair on voice vote and the Chair ruled that the motion is carried.

Senator Abercrombie then moved to appeal the ruling of Chair.

Senator Abercrombie then said: "Mr. President, I appeal the ruling of the Chair on the 'ayes' and 'noes' and request that the vote be done by roll call."

The Chair answered: "Senator Abercrombie, the vote has already been taken and the 'ayes' have it."

Senator Abercrombie continued: "Yes, Mr. President, but I'm appealing your decision that the 'ayes' have it."

At 1:03 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:13 o'clock p.m.

The Chair then remarked: "Members of the Senate, there is a motion to appeal the ruling of the Chair. Those who favor ..."

Senator Uwaine rose on a point of order and said: "Mr. President, appeal of the ruling needs a second."

The Chair continued: "That is correct. I want to explain here where we're at at this particular time. My understanding is, if you vote in favor of the Chair, to sustain the Chair you vote aye. If you do not then you vote no."

Senator Toguchi then seconded the motion to appeal the ruling of Chair.

Senator Kawasaki then interjected: "Mr. President, I think a clarification is needed. To appeal the ruling of the Chair in this particular case is to say that the Chair has decided that there were majority votes to move the motion to reconsider, and that is the only matter that we're voting on right now."

The Chair answered: "The motion

is for an appeal to the ruling of the Chair. The Chair has ruled on a particular vote and it's been questioned by one of the members of the Senate, and if you support the Chair you vote aye, if not you vote no."

The motion to appeal the ruling of the Chair was then put by the Chair and Roll Call vote having been requested, failed to carry on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Abercrombie and Toguchi). Excused, 2 (Cayetano and Fernandes Salling).

Senator Solomon then moved to recommit S.C.R. No. 90, S.D. 1, to the Committee on Education, seconded by Senator Kawasaki.

Senator Abercrombie rose to speak against the recommittal and said:

"Mr. President, I speak against the recommittal primarily because, first of all, I believe it's a perfectly reasonable resolution and I'd expected that the chair, having brought the resolution out, would defend the resolution. Also, it was indicated that this was something that I wanted. I put the resolution in.

"I presume the chair moved it out because the chair thought the resolution should come out. I never asked anybody to move it out or said what I wanted. I wanted it discussed and if it had sufficient votes, fine and dandy.

"It seems a little incongruous to me that on the one hand you bring a resolution out ostensibly because someone wants it, as opposed to whether it's any good or not, and on the other hand when someone says they don't want it after it's passed, you put it back in. The reasoning seems to me contradictory.

"As far as the substance of the resolution is concerned, if the members want to discuss it as to why it is a perfectly reasonable resolution to move forward to the DOE. Ordinarily, the chair does that. If the chair doesn't care to do it, I suppose that's the chair's privilege as well.

"Nonetheless, the resolution involves a study which is vitally important to dealing with the retirement questions inside the DOE which every member who was paying any attention here knows is very, very important when it comes to affirmative action, extremely important

when it comes to advancing employees in terms of promotion inside the DOE with respect to some of the historical factors that have manifested themselves over the years in the DOE. It does not involve liberalizing benefits, in my judgment, or to the degree that it might be construed that way it's certainly subject to question, which is one of the reasons why we make the study.

"If you recall some of the remarks of the speaker who brought up the question of whether it should be recalled, the people who might be in such a position of job-sharing which this Legislature has encouraged and we have encouraged innovative ways of finding out methods of making job-sharing to work, that they would have to pay from a reduced salary full benefit formula contributions.

"If you examine it, and I don't think probably that many of us have the resolution before us, I don't have the resolution before me, I'm dealing with it from memory ... so I'm saying that the representations of the movant with respect to bringing this resolution back are, I think, unwarranted in terms of his fears about opening doors to liberalizing benefits in a manner not conducive with good practice with respect to retirement in this state.

"One of the ways that we're going to be able to find out what we should do in this area is to have a reasonable study done by the department, or I should say by the Board of Education through the department. Perfectly reasonable, in line with all the elements that we have dealt with by way of resolution and by way of law.

"We have been encouraging job-sharing in this Legislature by passing laws not only to implement it but to increase job-sharing. This is an innovative use of job-sharing which may have a beneficial effect not only for those retiring, but for those who are already in the system.

"As I say, my presumption was that the resolution could stand on that basis and would be defended. I was shocked when the vote went the other way and which is why I appealed the Chair. I'm not sure that that was the intent.

"So I now have a copy of the resolution before me and I commend to the members' attention before they vote and I certainly hope that those of us who signed the committee report

bringing it out might in addition to the remarks that I make have something to say in favor of rejecting the call to bring this concurrent resolution back to us.

"I'll read the purpose again for the members' attention: 'The purpose of this concurrent resolution is to request the Legislative Auditor to conduct a feasibility study regarding allowing retirement benefits for teachers who are job-sharing in the Department of Education and who are nearing retirement.'

"That's a perfectly reasonable thing to inquire into if you in fact are encouraging by law job-sharing and are in the process, as this Legislature has been, of discussing what kind of benefit ratio should accrue to those in job-sharing programs if we want to continue to encourage this process. A perfectly reasonable thing to do, in fact, it would be an enlightening thing to find out about it because it would help to reduce some of the areas of ignorance that we have at the moment as to what the effects are of job-sharing, and what the relationship might be in terms of collective bargaining with job-sharing retirement and benefits in general.

"The committee report then goes on to state perfectly straightforward commendation to the Senate as to why this purpose is fulfilled in the various 'whereas' clauses of the resolution, including, and I want to repeat for the members' benefit because it may not have been clear from previous remarks, 'that your committee further finds that a possible solution to this problem would be to allow teachers to contribute an amount to the retirement system based on their full-time salary.'

"Now that means that someone going into the job-sharing program would have to make a very careful equation as to what they would be contributing even though they would not be earning a full-time salary. That kind of question deserves some attention and we're asking the department to do that. They'd be given a full year's credit toward retirement with their retirement pay to be computed on the basis of their full-time salary.

"Now, what's needed and what's requested in the resolution merely is to see what that ratio may be. It might be that the department would come up with an answer that it is not cost-effective or it would not be a feasible thing to do. By no means in

passing this resolution are you telling the department that's what they should do. What we did when we passed the resolution is ask them to find out whether it's a good idea and leave it up to us to decide. The decision-making body with respect to this is not the Board of Education or the Department of Education but the Legislature.

"Now, this seems to me, again, of the hundreds I suppose by now resolutions that I've voted on in this Legislature in the last nine years, this is as far as I know the most usual manner in which the Legislature, unless it takes unto itself to study either through committee, interim committee, or its Legislative Auditor or Majority Research, this is the most common method by which we seek this information. That's all that's being asked for.

"The alternative if we defeat this is to put this off into limbo somewhere I suppose and then if we have an energetic enough Legislature in some manner or perhaps the board gets interested they might do it on their own. The same question will come up again next year except we won't have the information available to us.

"So, before we vote the thing down, I ask you to consider, was it a reasonable and prudent thing to pass this resolution. I would maintain that it is and it was a reasonable and prudent thing to pass this resolution and the information to be gleaned from it will be valuable to this Legislature, to any committee in the Legislature and to the members as a whole in making the determination on these issues such as benefits, job-sharing, retirement, their interrelationships, and what the possibilities might be to utilize this information in an effective legislative manner.

"Thank you."

Senator Solomon then responded and stated:

"Mr. President, I'd just like to refer to the remarks made by the previous speaker.

"I would like to remind him that it was just a few days ago that he informed all of us, his colleagues, that there really is no embarrassment in reconsidering a commitment on the part of the chairman. After taking into consideration the remarks that were shared today by Senator

Kawasaki, I feel ..."

Senator Toguchi then interjected: "Point of order, Mr. President. I'd like to know if the speaker is speaking for the motion or against the motion?"

Senator Solomon replied: "I'm speaking for the motion."

Senator Cobb added: "Mr. President, she's the movant; therefore, by definition speaking in favor of."

The Chair answered: "That is correct."

Senator Solomon continued: "I guess because of all this emotion that has occurred on the floor, I'm forgetting my parliamentary procedures. Excuse me, Mr. President.

"As I was saying, as to what Senator Kawasaki has brought to my attention, I really feel that perhaps I must reconsider and recommit the resolution at this time and I'd like to think that my fellow colleagues would give me that consideration as the chairman. Thank you very much."

Senator Toguchi then rose to speak against the motion and stated:

"Mr. President, I rise to speak against the motion and I do so because I've still not heard the reason, based on this resolution, the reason for the recommittal. And I'd like to just express a few points against the recommittal.

"This is only a study and I'd like to say that during the past few years, I have also worked quite extensively with the job-sharing bill, the extensions that we have put on the bill making it a permanent program. I have been a co-sponsor of several of the bills that extended the job-sharing program and more recently also extended this into the library system.

"If you look at the resolution and I question how many of you have the resolution before you now, if you look at the resolution, the resolution calls for a study. And I think it's a resolution that has been carefully worded because in the 'Be it resolved' section it talks about 'the Department of Education is requested to conduct a study on the feasibility' and it goes on about the benefits.

"In another 'Be it resolved' section,

'Be it further resolved the study include the possibility' and I can tell you that whether it's settled this year or next year, the question will have to be settled in order for the job-sharing program to become a successful program.

"I think it's presently a good program but every year the department struggles with this question.

"I think that, also, the committee report points out that there are people not presently or not currently participating because these questions have not been cleared up. And I think this is a good study; I think, originally, the resolution called for the Legislative Auditor to do the study but I felt also and I concurred with the changes that were made. It's not a study of that kind of magnitude that we need a Legislative Auditor's report. The Department of Education can come out with some suggestions to this body next year if this resolution goes through.

"I would also like to add that if there was a statute before me making changes to the job-sharing program, dealing with benefits, I would be very, very concerned also, myself. It's only looking at the feasibility, looking at possibility, and I think that if the study comes through, next year a bill can be introduced taking into account some of the recommendations that the department could come through with. And it is on that basis that I would like to speak against the recommittal, and I hope that some of you will take some of the arguments that we have presented into account when you make that decision."

Senator Abercrombie then added:

"Mr. President, I would like to speak again against the recommittal and with respect to some previous remarks, perhaps, make some clarification for the benefit of the members.

"If the originator, the Senator originating the move for this recall, this reconsideration, his reasoning was to be taken into account with every resolution that we pass, the assumption would have to be that merely by passing a resolution we are telling whatever department or entity we are addressing the resolution to do that they are to do something. And I believe if I am correct in my recollection, we were pressuring them to do something. We aren't

pressuring the Department of Education to do something with this resolution; that is to say determine the feasibility and make a recommendation. This is the usual practice. It's the usual practice in not hundred but thousands of resolutions that have passed through this Legislature, and for good reason.

"If we reconsider this resolution on the basis of the Senator's reasoning, we can't pass any resolutions requesting departments or other entities to give us their recommendations based on their assumptions of feasibility and to outline for us and articulate for us what those assumptions are, what their presumptions are, and what their conclusions are.

"The previous speaker is correct. If we do not do this this year then we will come into next year having to deal with it minus the information, unless we happen to glean it on our own. Now, if this is again to be some kind of contest, believe me, the two people who have spoken so far against the recommittal are not going to be the losers in this situation. It's going to be all the people who are still waiting for answers to the questions. And that's what we're supposed to do in here. We're supposed to facilitate the catalyst in finding these answers.

"So, I think on that basis that no harm is done. I suppose it's like basketball in that sense, no harm, no foul. No harm is done by getting the feasibility study done. It's not a question of whether or not one can or cannot recommit a bill. The question is whether it's an advisable thing to do. And so the argument against recommittal, to vote no, is that on balance it is better for us to have the information and judge the worth of the information than to have no information at all and continue to operate on the same basis as we have with the questions unanswered. Thank you."

Senator Kawasaki, in support of the recommittal, stated:

"Mr. President, I speak in favor of the recommittal, and I suppose what's taken place here in the way of dialogue is an example of the independence for which this Senate is either famous or infamous according to whatever perspective you want to put it in.

"First of all, I think clarification is needed on this term 'job-sharing'

category of teachers. This is euphemism which actually means job-sharing is part-time teachers and why are they part-time teachers? Primarily because according to some standard that's been established, I suppose, or by voluntary action on the part of teachers themselves they are not going to teach full-time for reasons known to themselves or reasons known only to the Department of Education.

"Now, what this resolution is asking is for us to have the Department of Education (a body less than disinterested, primarily because this is a department that would like to retire some of these job-sharing category teachers, who in my judgment are perhaps not up to standard as full-time teachers teaching full-time. The department would like to retire these people) make some judgments.

"Now, it just seems to me having a department that wants to make these people retire to make a study whether we should retire these teachers under some formula is bad. I object to the formula. The formula is these part-time teachers are going to be asked to contribute to the retirement system as if they were full-time teachers, which means they put out a little more every month out of their salary for their retirement benefits ... let them put out a little more as if they were full-time teachers and then let's give them retirement credits for a year's duration as if they were full-time teachers, this I think puts these categories of employees under a different kind of formula eventually when they retire. We are setting a precedent which perhaps would open the door for other employees who are perhaps job-sharing in their own way or part-time.

"We're asking them to contribute to the retirement system as if they're full-time employees and then give them one year's credit which they have not earned as full-time employees, even if they are part-time employees, give them one year's credit as full-time employees, and then eventually what results, the bottom line result is that they are going to be retired and given pension benefits as if they were full-time employees. This is the kind of precedent we're setting and this is my concern.

"Now, if this resolution went to the Legislative Auditor, who would be an objective organization to make this study, that'd be fine; but it's going

to the Department of Education who as I said are anxious to retire these people. Now this could be less than objective, less than disinterested, as I said, and this is another reason why I think this whole resolution issue should be recommitted and perhaps worded in a more presentable fashion that would be acceptable to us. And for that reason, I urge the vote for the recommittal."

Senator Abercrombie then asked: "Mr. President, would you allow me to speak again although I've spoken twice on this matter?"

The Chair permitted Senator Abercrombie to proceed.

Senator Abercrombie continued: "Mr. President, thank you.

"The remarks of the previous speaker are as good an argument as I can think of to have this study move forward. To say that the job-sharing program is vague or what constitutes job-sharing is vague is to fly in the face of the laws that we have passed to finding exactly what job-sharing is, exactly who can participate and how it is to work. We already have a law. This body passed it. Most of the members on this floor right now have been members of the Legislature when we passed the legislation and have been enthusiastic supporters of it.

"As for the remarks concerning getting rid of teachers because they are not up to par, there has not been a word of testimony to that effect. There has not been any discussion of that kind of thing. This is a conjecture on the part of the previous speaker. It is the assumption that because someone is near retirement age by definition they are not any good. If that's the case, then there are several members on this floor, I suppose, that might find themselves in some sort of difficulty. That's not an argument. As a matter of fact that casts an assertion on the intent of the study. If we say that a department has a vested interest and therefore is incapable of doing the study, then why do we ask any department to give us any information about anything?

"It doesn't make any sense to do any resolution that would have any kind of implication for any department to give us any information on the basis that if the previous speaker's logic is to be followed out, that whatever comes into the Legislature, number one, would be biased beyond

our capacity to recognize it; number two, that we don't have minds of our own and would not make an adequate judgment as to the efficacy of the argument or the basis upon which the argument is made in terms of the recommendations in the study that comes to us.

"How many times have we gone to the Health Department, the Department of Transportation, to the Agriculture Department, to numerous departments, including the Department of Education? I dare say, given the time and the opportunity, I could come fore just over the last four years let's say, and come up with numerous resolutions directed at the Department of Education to give us just this kind of information.

"What the previous speaker wants, he says he's against doing this. Now, that's perfectly fine if that's what he wants to do, but because he's against doing it does that mean that we should not inquire here in the first place as to what the basis of doing it or not doing it might be or what some of the elements might be involved.

"The key thing that I want to express to you, Mr. President, and to the members is the remark of Senator Toguchi that the only area that is unclear there at the moment is precisely what we're going to do with job-sharing in terms of benefits, and that's a legitimate question. The previous speaker indicates these are part-time jobs. They are not part-time jobs. Job-sharing is not a part-time job. It is a specific element of time, generally, half-time job which you work at fully. It's not some kind of a job in the sense that it's something you do casually for employment. It is a method of dealing with the realities of life today when people have to work in order to support their families by having the whole family work.

"Not everybody is capable of having 40 hours or better a week available to them to work. Many jobs are susceptible to being shared so that the full-time, in the sense of the time that's available to people who must work in order to survive ... not all of us are fortunate enough to have the kind of incomes where one person can work in the family in order to survive that that person has to work in a job-sharing program. There are some jobs, especially in public employment and some areas of private employment that are particularly conducive to this kind of work.

"The problem comes when you try to figure out what kind of benefits are you going to be able to put forward in that if it's deemed in the public interest to do so. We have deemed it in the public interest because this is the only way that many of our families can put food on the table. This is not a casual question. This is not people trying to rob this state. We're trying to make a determination what to do here.

"We've got problems right now as I'm sure the Health chairman would attest to and the Human Resources chairman would attest to with respect to how we handle medical costs. If we're going to encourage people on to job-sharing, we have to come to grips with those questions and what kind of money is involved. So, that's the reason for the resolution.

"Now, if you don't like what comes out of that and you think that that's going to be too costly or you think that that's not going to be in the public interest, then we shouldn't vote to handle whatever recommendations come out that we don't feel are proper ... but, not to try and get the information in the first place because we aren't going to like it is to fly in the face of what the Legislature is supposed to do in accumulating information so that it can make a reasonable decision based on what we have determined to be good public policy, to wit, job-sharing. Thank you."

Senator Toguchi then added:

"Mr. President, I'd like to rise again to speak against the recommittal and I'd like to just respond to some of the remarks of the previous speaker.

"Job-sharing, I have here with me the Session Laws of 1978 and the Session Law, Act 150, it's very detailed out as to what job-sharing is. There's also a very clear definition as to what constitutes job-sharing and it's not as vague as indicated by the previous speaker. In fact, subsequent Session Laws clarified further the Act 150 passed in 1978.

"It's very clear in Act 150 as the definition, the purpose, the requirements that the department would have to meet in order to implement this program. And if you look only at the resolution it might be unclear but legislation in three sessions have clarified very clearly many of the concerns that were raised

in the early years of the job-sharing program. I think what has not been resolved and what this resolution is trying to correct is the area of benefits and although it's a very good program, unless as I pointed out earlier this question of benefits is cleared ... a study is done, and until we address that question in subsequent amendments to the statutes, it's going to be a hindrance to the program.

"Thank you."

The motion was then put by the Chair and carried on voice vote and S.C.R. 90, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A STUDY REGARDING THE FEASIBILITY OF ALLOWING RETIREMENT BENEFITS FOR JOB-SHARING TEACHERS NEARING RETIREMENT AGE IN THE DEPARTMENT OF EDUCATION," was recommitted to the Committee on Education.

At 1:44 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:48 o'clock p.m.

The Chair, at this time, made the following announcement.

"Beginning, probably after tomorrow morning's session, there will be discussions on the budget and I'm asking individuals to please be prepared to begin the debate on the budget."

Senator Abercrombie then inquired: "Mr. President, an inquiry based on your remark, please. I presume that if you are to start the debate after the session ... I'm not quite sure I understand ... is the session to begin tomorrow at whatever time is designated and then continue through the day into the evening?"

The Chair answered: "That's correct."

Senator Abercrombie continued: "If the members wish to debate the budget, my presumption is, and am I correct in my presumption, that for the purposes of actually considering the vote on the budget, that will not commence until 9:07?"

The Chair answered: "That's correct."

Senator Abercrombie continued:

"And there will be discussion that will be available to any member at that time at 9:07?"

The Chair answered: "Certainly."

Senator Kawasaki then inquired: "Mr. President, it seems to me anytime we allow discussion it has got to be based on a motion on the floor. Now, what would the motion be if we are to discuss the budget? I suppose you could allow a point of personal privilege and someone speaking his opinions about the budget, but it seems to me the propriety on this from the parliamentary standpoint would be that there'd be a motion to adopt or to defeat ... motion to adopt and then discussion allowed on that point."

The Chair answered: "The motion is already inherent in the fact that the bill is up for final reading. The 48-hour notice has been given and discussion can take place but there'd be no voting that can take place prior to the lapsing of the 48 hours."

Senator Carpenter then asked: "Mr. President, on a point of inquiry, what was the motion that you alluded to?"

The Chair explained: "The bill was decked for 48 hours. The rules indicate and the precedent has been set in the past -- that you can have debate on the measure at any time once the conference draft is here on the desks but you cannot take a vote on that matter until such time when the 48 hours time has elapsed. Then you may begin the voting process if that is the choice of the Senators; if not, debate continues."

Senator Carpenter continued: "I think I can understand, Mr. President, the prior practice ... it happened, as I understand, in the House sometime back.

"But the motion, as I see it, was really the Clerk of the Senate announcing to this body that certain bills were on deck and required 48 hours. Is that a motion?"

The Chair answered: "That is correct. The 48 hours notice was so ordered at that time."

Senator Cobb on a point of order stated: "Mr. President, if there is any doubt, rising on a point of order, the chairman can always state the motion for the record. That motion, of course, being fully debatable. It's just that the actual

vote could not take place until 9:07 or later Friday evening."

The Chair responded: "It will take place at 9:07."

Senator Abercrombie inquired: "Mr. President, will a motion be made at 9:07 to pass the budget on final reading?"

The Chair answered: "For a vote, the motion can be made for a vote."

Senator Abercrombie further inquired: "Will such a motion be in order?"

The Chair answered: "I have no idea. It depends on how long the debates will take place ... the time required for debate. But, it's the Chair's position that I'd like to give everyone a full range of opportunity to debate the budget and not that there were time constraints relative."

Senator Abercrombie continued: "I agree with what you just said. I'm inquiring, rather, is a motion in order, is a motion necessary at 9:07 to pass the budget? Will a motion have to be made to pass the budget?"

Senator Cobb on a point of order said: "Mr. President, if there is a previous motion made on the floor at any time during the legislative day and as long as there is no intervening business by adoption of any other bill, resolution or other business conducted by the Senate and the prior motion is still standing on the floor, it need not be restated at 9:07 p.m."

Senator Abercrombie continued: "Yes, I understand, Mr. President. That's not my question as to whether there was a motion made to place the bill for 48 hours notice. That was passed, I believe, shortly before midnight in recent days ... it's hard for me to remember exactly, I think yesterday, prior to today's session."

The Chair responded: "In the interest of clarification on your

questions, I'm certain that tomorrow we will take up all matters on consent calendar."

Senator Abercrombie interjected: "And at that point you intend to commence debate?"

The Chair answered: "Well not necessarily ..."

Senator Abercrombie interjected: "At some point thereafter you intend to commence debate?"

The Chair answered: "Right, because in the morning when we meet we will make a motion which will carry through the whole evening, that motion being that all matters brought before the Senate will be taken on consent."

Senator Abercrombie responded: "I see. Very good, thank you."

Senator Kawasaki then asked: "Mr. President, point of inquiry again. I think I heard you correctly when you said that you intend fully to allow every member who wants to speak on the budget a chance on the floor to speak on the budget for or against the budget."

The Chair answered: "Certainly."

Senator Kawasaki responded: "Fine."

The Chair then said: "We have a little problem this afternoon that we hope to resolve. We'll find out when we can commence with the scheduling for the budget debate. Perhaps it might all be straightened out by this afternoon. We may not need any kind of discussion over the budget. I'm hopeful, anyway."

ADJOURNMENT

At 1:55 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:00 o'clock a.m., Friday, April 22, 1983.

SIXTIETH DAY

Friday, April 22, 1983

The Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Sister Maureen Keleher, O.S.F., Regional Administrator of the Sisters of St. Francis, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Fifty-Ninth Day.

At this time, Senator Carpenter, on behalf of Senators Henderson, Solomon and himself, introduced a group of 41 senior citizens from the Big Island, accompanied by their coordinators Fuyu Nagata and Sammy Goya.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 722 to 743), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 722) returning Senate Bill No. 570, S.D. 1, which passed Third Reading in the House of Representatives on April 21, 1983, was placed on file.

A communication from the House (Hse. Com. No. 723) transmitting House Concurrent Resolution No. 169, which was adopted by the House of Representatives on April 20, 1983, was placed on file.

By unanimous consent, action on H.C.R. No. 169 was deferred to the end of the calendar.

A communication from the House (Hse. Com. No. 724) transmitting House Concurrent Resolution No. 178, H.D. 1, which was adopted by the House of Representatives on April 21, 1983, was placed on file.

By unanimous consent, action on H.C.R. No. 178, H.D. 1, was deferred to the end of the calendar.

A communication from the House (Hse. Com. No. 725) returning Senate Concurrent Resolution No. 41, which was adopted by the House of Representatives on April 21, 1983, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 41, H.D. 1, was deferred to the end of the calendar.

A communication from the House (Hse. Com. No. 726) informing the Senate that the amendments proposed by the Senate to House Bill No. 182 were agreed to by the House, and H.B. No. 182, S.D. 1, passed Final Reading in the House of Representatives on April 21, 1983, was placed on file.

A communication from the House (Hse. Com. No. 727) informing the Senate that the amendments proposed by the Senate to House Bill No. 253, H.D. 1, were agreed to by the House, and H.B. No. 253, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 21, 1983, was placed on file.

A communication from the House (Hse. Com. No. 728) informing the Senate that the amendments proposed by the Senate to House Bill No. 722, H.D. 1, were agreed to by the House, and H.B. No. 722, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 21, 1983, was placed on file.

A communication from the House (Hse. Com. No. 729) informing the Senate that the amendments proposed by the Senate to House Bill No. 722, H.D. 1, were agreed to by the House, and H.B. No. 722, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 21, 1983, was placed on file.

A communication from the House (Hse. Com. No. 730) informing the Senate that the amendments proposed by the Senate to House Bill No. 913, H.D. 1, were agreed to by the House, and H.B. No. 913, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 21, 1983, was placed on file.

A communication from the House (Hse. Com. No. 731) informing the Senate that the House has reconsidered its action taken on April 7, 1983, in disagreeing to the amendments made by the Senate to House Bill No. 1399, H.D. 2, and the Speaker has on April 21, 1983, discharged the Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 732) correcting a previous communication to the Senate dated April 20, 1983, wherein the Senate was incorrectly informed that House Bill No. 253, H.D. 1, S.D. 1, had passed Final Reading, was placed on file.

A communication from the House (Hse. Com. No. 733) informing the Senate that the amendments proposed by the Senate to House Bill No. 256, H.D. 1, were agreed to by the House, and H.B. No. 256, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1983, was placed on file.

A communication from the House (Hse. Com. No. 734) transmitting House Concurrent Resolution No. 203, which was adopted by the House on April 21, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 203, entitled: "HOUSE CONCURRENT RESOLUTION EXTENDING CONGRATULATIONS AND BEST WISHES TO LAUPAHOEHOE HIGH AND ELEMENTARY SCHOOL ON ITS 100TH ANNIVERSARY," was adopted.

A communication from the House (Hse. Com. No. 735) returning Senate Concurrent Resolution No. 92, which was adopted by the House of Representatives on April 21, 1983, was placed on file.

A communication from the House (Hse. Com. No. 736) transmitting House Concurrent Resolution No. 87, which was adopted by the House of Representatives on April 21, 1983, was placed on file.

By unanimous consent, action on H.C.R. No. 87 was deferred to the end of the calendar.

A communication from the House (Hse. Com. No. 737) transmitting House Concurrent Resolution No. 110, which was adopted by the House of Representatives on April 21, 1983, was placed on file.

By unanimous consent, action on H.C.R. No. 110 was deferred to the end of the calendar.

A communication from the House (Hse. Com. No. 738) transmitting House Concurrent Resolution No. 120, which was adopted by the House of Representatives on April 21, 1983, was placed on file.

By unanimous consent, action on

H.C.R. No. 120 was deferred to the end of the calendar.

A communication from the House (Hse. Com. No. 739) transmitting House Concurrent Resolution No. 126, which was adopted by the House of Representatives on April 21, 1983, was placed on file.

By unanimous consent, action on H.C.R. No. 126 was deferred to the end of the calendar.

A communication from the House (Hse. Com. No. 740) transmitting House Concurrent Resolution No. 187, H.D. 1, which was adopted by the House of Representatives on April 21, 1983, was placed on file.

Senator Cobb moved that H.C.R. No. 187, H.D. 1, be adopted, seconded by Senator Soares.

At this time, Senator Abercrombie rose and stated:

"Mr. President, I'd like to speak in favor of this measure, very briefly indicating that, as I do, that I think it's very important with respect to library services that we utilize available structures or make such innovations as are possible in order to establish contact for the public with libraries, even if we do not have sufficient funds to build brand new libraries. This is something that reflects upon the changing population patterns, not only on Oahu, but on the neighbor islands and well, so that plans, as such, that might have been drawn up years ago, do not necessarily reflect those population changes and the needs of the communities, and it's this kind of innovation that is necessary in order for us to carry out proper availability of library services to the people of this state."

The motion was put by the Chair and carried, and H.C.R. No. 187, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE ESTABLISHMENT OF A PUBLIC LIBRARY MOANALUA-SALT LAKE PORTASTRUCTURE," was adopted.

A communication from the House (Hse. Com. No. 741) transmitting House Concurrent Resolution No. 191, which was adopted by the House of Representatives on April 21, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 191, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES GENERAL

SERVICES ADMINISTRATION TO EXPEDITE THE ACQUISITION OF FEDERAL LAND AT SALT LAKE, OAHU, BY THE STATE OF HAWAII FOR DEVELOPMENT OF THE SALT LAKE-MOANALUA COMMUNITY LIBRARY," was adopted.

A communication from the House (Hse. Com. No. 742) transmitting House Concurrent Resolution No. 193, H.D. 1, which was adopted by the House of Representatives on April 21, 1983, was placed on file.

By unanimous consent action on H.C.R. No. 193, H.D. 1, was deferred to the end of the calendar.

A communication from the House (Hse. Com. No. 743) transmitting House Concurrent Resolution No. 198, which was adopted by the House of Representatives on April 21, 1983, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 198, entitled: "HOUSE CONCURRENT RESOLUTION COMMEMORATING MAY 1, 1983, AS LAW DAY U.S.A.," was adopted on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1050) informing the Senate that Standing Committee Report Nos. 1051 to 1060 have been printed and have been distributed to the members of the Senate.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 o'clock noon.

Senator Solomon, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 1051) recommending that Senate Resolution No. 126 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 126, entitled: "SENATE RESOLUTION RELATING TO A POLICY ON LONG TERM CARE FOR

THE ELDERLY," was adopted.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 1052) recommending that Senate Resolution No. 79, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 79, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF OTHER STATES' LEASEHOLD LAWS AND THE RENEGOTIATION PROCESS OF PROPERTY LEASES UNDER CHAPTERS 516 AND 519, HAWAII REVISED STATUTES," was referred to the Committee on Legislative Management.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 1053) recommending that Senate Resolution No. 94, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 94, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII HOUSING AUTHORITY AND THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO PREPARE STATUS REPORTS ON THE CROWN PROPERTY SITE," was adopted.

Senator Young, for the Committee on Housing and Urban Development, presented a report (Stand. Com. Rep. No. 1054) recommending that Senate Resolution No. 100 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 100, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII HOUSING AUTHORITY TO PREPARE A STATUS REPORT ON THE WAIHAOLE VALLEY PROJECT," was adopted.

Senator Young, for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 1055) recommending that Senate Resolution No. 104, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 104, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF

ACCOUNTING AND GENERAL SERVICES TO ESTABLISH A COMPREHENSIVE FINANCIAL ACCOUNTING SYSTEM FOR THE DEPARTMENT OF HAWAIIAN HOME LANDS," was adopted.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1056) recommending that Senate Resolution No. 99 be referred to the Committee on Legislative Management.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 99, entitled: "SENATE RESOLUTION RELATING TO THE EQUALITY OF WOMEN," was referred to the Committee on Legislative Management.

Senator Young, for the Committee on Hawaiian Programs, presented a report (Stand. Com. Rep. No. 1057) recommending that Senate Resolution No. 135 be referred to the Committee on Legislative Management.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 135, entitled: "SENATE RESOLUTION REQUESTING THE CONTINUATION OF THE LEGISLATIVE AUDITOR'S INVENTORY OF LANDS IN THE PUBLIC TRUST AND THE POSSIBLE CONFLICTING CLAIMS MADE ON REVENUES DERIVED THEREFROM," was referred to the Committee on Legislative Management.

Senator Machida, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1058) recommending that Senate Resolution No. 128 be referred to the Committee on Legislative Management.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 128, entitled: "SENATE RESOLUTION CONVENING A JOINT DISCUSSION GROUP, UNDER THE LEADERSHIP OF THE SENATE COMMITTEE ON HEALTH, TO STUDY THE PROBLEMS ATTENDANT TO THE LONG-TERM CARE OF HAWAII'S ELDERLY AND LOW-INCOME PATIENTS," was referred to the Committee on Legislative Management.

Senator Machida, for the Committee on Health, Senator Mizuguchi, for the Committee on Human Resources, and Senator Solomon, for the Committee on Youth and Elderly Affairs, presented a joint report (Stand. Com. Rep. No. 1059) recommending that Senate

Resolution No. 121 be referred to the Committee on Legislative Management.

On motion by Senator Cobb, seconded by Senator Soares and carried, the joint report of the Committees was adopted and S.R. No. 121, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF HAWAII'S HUMAN SERVICES PROVIDERS TO IDENTIFY GOALS AND OBJECTIVES AND DUPLICATION OF SERVICES, ESTABLISH PRIORITIES OF SERVICES, AND TO EVALUATE THE IMPLEMENTATION OF ACT 207, SESSION LAWS OF HAWAII 1981," was referred to the Committee on Legislative Management.

Senator Solomon, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1060) recommending that Senate Resolution No. 119, as amended in S.D. 1, be adopted.

By unanimous consent, Stand. Com. Rep. No. 1060 and S.R. No. 119, S.D. 1, entitled: "SENATE RESOLUTION CONCERNING THE BOARD OF EDUCATION," were recommitted to the Committee on Education.

ORDER OF THE DAY

FINAL READING

Conference Committee Report No. 13 (H.B. No. 314, S.D. 2, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 13 be adopted and H.B. No. 314, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

Senator Young then rose and stated:

"Mr. President, this bill would enable the Hawaii Housing Authority to issue taxable bonds and proceeds used to acquire lots in fee. The original bill requested a sum of \$75 million. The Conference Committee felt that the present \$50 million would be sufficient."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 13 was adopted and H.B. No. 314, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 14 (H.B. No. 1232, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 14 was adopted and H.B. No. 1232, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING HOUSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 15 (H.B. No. 1620, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 15 was adopted and H.B. No. 1620, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COOPERATIVE HOUSING CORPORATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Ajifu, George and A. Kobayashi).

Conference Committee Report No. 16 (H.B. No. 800, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 16 was adopted and H.B. No. 800, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAMILY COURT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 17 (S.B. No. 1254, H.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 17 be adopted and S.B. No. 1254, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

Senator Abercrombie then rose and stated as follows:

"Mr. President, I need to ask the chairman one or two questions before voting on this bill. I would like to vote for the bill, but there are a couple of things that came up that I need to have cleared.

"As I understand the college equivalency program, which I favor, that

is to say, giving work credits or credits for other activities which may be reasonably construed by the University faculty as being worthy of granting of credit. I construe that to be a good thing to do. I supported the equivalency idea for a long time. Now, the question here is, an additional language put in called military training program, and it says, 'credits may be awarded for work or other experiences at the discretion of the University.' If that was the end of it, that would be fine. What bothers me, is that on page 3 of the bill, starting on line 15, there is a segment which is removed, and it says, 'nor to non-resident students who are residents of a state or foreign country which permits Hawaii residents to pay resident tuition fees while attending public institutions of higher learning in such state or foreign country.'

"That's removed. That's removed from a section that begins with, 'The non-resident tuition differential shall not be applicable to non-resident students who were enrolled at the University....' et cetera, et cetera. Now, my assumption was that this kind was a kind of reciprocal agreement and there are words to the effect on the next page, page 4, 'The Board may enter into agreements with government and university officials of any other state or foreign country to provide for reciprocal waiver of the non-resident tuition differential.'

"I don't dispute that they could do that, by my assumption is, that on line 15 on page 3, through line 18, that such an agreement was already in place because it refers to people who are attending the school and who are able to pay resident tuition fees in an institution of higher learning in another state or foreign country. My question, therefore, is, is this an inadvertent error or what? It would appear that we would be removing the ability of a student from another state or foreign country to receive resident tuition status when that foreign country or state grants the same to students from Hawaii."

The President then noted:

"Mr. Chairman, that is a long question."

Senator Holt replied:

"Thank you, Mr. President. It's not a mistake. What it is, is the existing statute automatically allows tuition waivers to non-resident students. What we're doing here is

amending the statutes to take away that automatic reciprocity agreement. However, the Board of Regents still has the authority to waive tuition for non-resident students. This is an amendment proposed by the House primarily because there were a substantial number of non-resident students attending the University of Hawaii while only a small number of Hawaii residents were taking advantage of this agreement."

Senator Abercrombie then stated:

"Mr. President, I'm still a bit confused about it and I do want to support this bill, if I can, but I don't want to see something come by that maybe was combined inadvertently.

"If you look at the committee report, it says 'The bill also amends Section 304-14.6.' Maybe I'm reading it incorrectly; 304-14.6, this repeals the sunset provision granting tuition waivers for qualified Hawaii National Guard and Army Reserve members and 304.4, repealing the non-resident tuition differential waivers by reciprocity.

"Maybe I'd better go back to 304, the first part. I didn't understand the chairman's answer with respect to why this was taken out. If there are other states who grant our students resident status because we grant it, in other words, reciprocity is already in existence. If we remove that, won't that threaten the advantage to our students in other states in terms of reciprocity?"

Senator Holt replied:

"Mr. President, in response, this would still allow the Board of Regents to enter into any kind of arrangement or agreement with other states. All it does is to take out the automatic reciprocity agreement. The Regents could still go ahead and enter into agreements with other states to have some kind of automatic waiver of tuition."

Senator Abercrombie then queried:

"Mr. President, I understand that. The language on page 4 allows the Regents to do that. Having done it, why would we want to take out the reciprocity? Shall we take a brief recess, Mr. President?"

At 12:09 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:10 o'clock p.m.

Senator Abercrombie rose and stated:

"Thank you, Mr. President. The chairman has answered my questions. I understand better now, and I want to speak in support of the bill because of the important nature of the college credit equivalency program. However, Mr. President, I do want to indicate this for the record, and I hope that others might join in and perhaps, even the chairman, if he so desires, to urge the Regents to be very, very careful in implementing the language as represented in the bill, because the effect of this bill, when it becomes law, with this deletion, will be that, even considering that the Regents may enter into an agreement, those students already on the Mainland or elsewhere from Hawaii, who are receiving tuition status as a result of the reciprocity that exist here now, might be in jeopardy if the Regents remove that capacity for students from the Mainland or a foreign country coming to the University of Hawaii.

"The chairman informs me that there appears to be a higher ratio of students from elsewhere here receiving the benefit of resident tuition than there are students from Hawaii going to school on the Mainland or in a foreign country. There's somewhat of a disparity there. I don't think the intent really is to try and make it equal. After all, we can't force our students to go elsewhere to school; they might not be able to afford it, et cetera, et cetera. But for those of our students in Hawaii who do enjoy such benefit, for the Regents to remove it, simply because the numbers are different, would jeopardize those students.

"So, my appeal, for the record, is that the Regents be made aware, that to remove the resident tuition status of students coming here from elsewhere, would be a very, very bad policy to pursue and that they should take advantage of other language already in the law which allows them to waive entirely or reduce the tuition fee or any other fees for any students, resident or non-resident, who are well qualified or in need of financial assistance. I would take the phrase 'well qualified' to mean that it is recognized in another state or another country that reciprocity will result in resident status for our students in those places. Thank

you."

Senator Holt then stated:

"Mr. President, I'd also like to place into the record a few comments. I agree with the previous speaker and I think I'd like to make it clear that the intent of this amendment is to insure that areas where we do not send students from Hawaii, (and there are a few states like that,) these are the places that we do have concerns because we are granting automatic waivers to students from those states, and the amendment to this bill is specifically intended to address that particular area. Thank you."

Senator Abercrombie then added:

"Mr. President, I just had one other comment to make, again speaking in favor of the bill, that it should be recognized by all, that the bill, in its passing, will not automatically grant equivalency credit to a military training program or to other work experience. Those programs and/or work experience will be subject to the investigation of the University. When it says, 'at the discretion of the University,' certain procedures with respect to course equivalency and determination of credit would have to apply.

"So, I just add that as a caveat to the people who may try to take advantage of this bill when it passes, and it should, that it is not an automatic process, but rather, they must meet all the pertinent qualifications as required by the University so that those who are receiving credit in particular courses do not find the worthiness of their work effort diluted. Thank you."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 17 was adopted and S.B. No. 1254, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senator Carpenter rose and stated:

"Mr. President, I rise on a point of personal inquiry.

"Mr. President, this morning, on our application before the court, which was not approved, it was

determined, however, in the discussion by the Judge, that the worksheets relative to the budget bill, which we will soon be discussing, are indeed important as regards making a better informed decision.

"I would like to ask at this time, so that we can better prepare ourselves for that discussion, whether or not the chairman of the Ways and Means Committee would allow the members of the Senate to peruse the worksheets prior to getting into discussion on it, or at least, designated members of our staff?"

At 12:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:20 o'clock p.m.

The President then stated:

"Senator Carpenter, I believe a question was directed to the chairman of the Ways and Means Committee. I think the President will answer your question.

"First, I think the court order made it very plain and very clear that the worksheets are not public documents. Second, I think the budget bill, in its final form, has been on the desks of the individual members now for some 40 hours and that there has been ample opportunity to ask questions. However, the chairman of the Ways and Means Committee has told me that he is willing to answer specific questions that any of you six people might have pertaining to the budget. This is to allow you to have information that you may need to properly pursue your discussion this evening."

Senator Carpenter then replied:

"Mr. President, I asked if we could peruse the worksheets, and to that question, is the answer 'no'?"

The President replied:

"That is correct, Senator Carpenter."

Senator Carpenter then continued:

"Then the only method we have for determining what the adjustments were and the agreed upon measures in the adjustments by the House and Senate conferees will be by questioning the chairman?"

The President replied:

"If you have any specific questions, I think he'll be willing to answer them."

Senator Carpenter concluded his remarks to the Chair stating:

"Thank you very much."

At this time, Senator Cayetano rose and stated:

"Mr. President, Judge Sodemani, in his ruling, ruled that while in his view, these worksheets were not public records, that he understood that they were important to understanding the budget. I think every witness who was asked this question on the stand answered accordingly. In fact, Dennis Goda, the Deputy Director of the Department of Budget and Finance, testified that the formalized worksheets which are transmitted to the Department of Budget and Finance are vital to the implementation of the budget.

"The upshot of all this is that while we were denied access to the records via HRS 92-51, the unanimous conclusion was that the budget could not be understood without looking at these worksheets. I can understand the court's concern with respect to the public having access to these worksheets. However, you have six Senators who have had some experience with these worksheets in the past who, without these worksheets, cannot properly assess the budget.

"So, my question is, what is the Chair saying to us, Mr. President? Is your remark to us that these questions should be asked on the floor? Or is it that we have to set aside a time and discuss this with Senator Yamasaki?"

The President replied:

"I would hope, Senator Cayetano, that during the interim later today during our break and before we come back, that you use the opportunity to speak to the chairman of Ways and Means on any questions you may have. Whatever arrangements you make relative to getting information should be made at that time."

Senator Ajifu then rose and stated:

"Mr. President, I rise to a point of order.

"Mr. President, I would like to call to the members' attention, the Order of the Day. I think the next order

of business on the Order of the Day is Conference Committee Report No. 18. I think that we have printed order that we should be following and I think it's out of order to take up this particular subject matter at this time."

Senator Cayetano then replied:

"Mr. President, I believe I was just following up on your remarks so that we have an understanding of what you mean. If what you are saying to us, that we set aside a time with Senator Yamasaki, in the Ways and Means conference room or something like that, I think that arrangement would be well and good. But what are you saying? Do we ask here, or do we ask someplace else?"

The President replied:

"Well, I've already suggested to you, Senator Cayetano, that if you had given me a chance to make arrangements to get the information you wanted, you wouldn't have had the necessity for filing a suit. If I recall correctly, the other evening on the floor, I came over specifically to tell you people that I was trying to work something out. However, before something could be worked out, I find out on the radio that we were being sued for that same information. So what am I to think now of the purpose of your inquiry?"

Senator Cayetano stated:

"Mr. President, one of the problems that we're having here is that sometimes what is said from person to person, differs from what is done and what is said for the record. On the record that evening, the answer was 'no'."

The President replied:

"But the discussion following the session was with you privately, and I said I'm going to try to work something out even though my formal answer had been no. I said we'll try to work something out. Then, when I'm coming in from Salt Lake the next morning, I hear over the radio that I'm being sued in court. I don't think this was conducive to resolving this problem."

Senator Cayetano queried:

"What is it that you were going to work out, Mr. President?"

The President replied:

"At least some arrangement to get specific information for you that you people were looking for! I don't know what information you're looking for."

Senator Cayetano then stated:

"That was not the representation made to us on the record."

The President replied:

"Whatever the representation was, there was an attempt to try and get the sides together to get the additional information. Evidently, Senator Cayetano, you individuals felt it was necessary to go to court to obtain that kind of information!"

Senator Cayetano retorted:

"Because, Mr. President, we have learned the only representation made here that counts is that which everybody hears, and is for the record"

The President replied:

"I want to make it very clear that it's never been the intent to withhold information from Senators. I've heard discussion along this line in the court and I remained silent through the whole discussion. I've not discussed the case in the media. Whenever I've been approached, I said let the Judiciary handle it and whatever it decides has to be done will be done. And I've kept to that commitment. But again, I will not allow the use of the budget to delay this session any longer past midnight tonight!"

Senator Carpenter then rose and stated:

"Mr. President, just to follow up on that, I think I asked you earlier if the six Senators or any Senators for that matter, or our designated personnel could peruse these documents. I think we could have accomplished the same purpose and get along with the agenda and be properly apprised of the information contained in these worksheets, which do in fact, support the budget."

The President replied:

"And my answer was, for you to take a recess and discuss this matter with Senator Yamasaki, if he prefers to do it this way. The Chair does not quarrel with this approach, but I want to make it very clear that those documents are not public and that it is up to the chairman to tell you whether or not he wants to share any

of the worksheets with you. I'm saying that I think there is a possibility that things may happen if only people will just go talk to each other, instead of talking through the courts and the media."

Senator Carpenter then queried:

"Mr. President, can we assume then that there will be an opportunity to peruse something, or at least have some discussion?"

The President replied:

"I hope that we can get on with the agenda and I will personally take any one of the six to talk to Senator Yamasaki."

Senator Carpenter concluded his remarks stating:

"Thank you very much, Mr. President."

At 12:29 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:49 o'clock p.m.

The President then stated:

"At this time, the Chair would like to say a few words regarding its earlier outburst. Normally it is not my style to criticize a Senator on the floor of this body. To Senator Cayetano, I apologize and I will try to see that it won't occur again. I do want to caution the Senators, however, that we do have some business at hand and that we should continue to do the business of this state and of the people."

Conference Committee Report No. 18 (S.B. No. 569, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 18 was adopted and S.B. No. 569, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY AND FITNESS TO PROCEED," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 19 (S.B. No. 133, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 19 was adopted and S.B. No. 133, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION OF AQUATIC LIFE, WILDLIFE AND PLANTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 20 (H.B. No. 809, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 20 was adopted and H.B. No. 809, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL AND CAREER INFORMATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 22 (H.B. No. 844, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 22 was adopted and H.B. No. 844, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STADIUM AUTHORITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 23 (H.B. No. 1567, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 23 was adopted and H.B. No. 1567, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 24 (H.B. No. 1557, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 24 be adopted and H.B. No. 1557, S.D. 1, C.D. 1,

having been read throughout, pass Final Reading, seconded by Senator Soares.

At this time, Senator Abercrombie rose and expressed his concerns stating:

"Mr. President, before I'm able to make a decision on this bill, I would like to pose a question, not necessarily to the chairman of the Committee, but in all probability, I hope he can answer it. If I understand this correctly, the Director of the Department of Health can place defendants of non-violent crimes in the least restrictive appropriate environment in light of treatment and protection needs of the defendant.

"My question therefore, is, does this relate specifically to what is commonly known as 'white collar' crime? Is that the idea behind this bill? I guess I'm trying to figure out what is the focus of this bill with respect to fitness? Is it a question of mental capacity or is it a question of the type of crime?"

Senator Chang then replied:

"Mr. President, with all due respect to the Senator, I'm not sure I understand the question. The purpose of the bill is precisely as stated in the bill itself, which is to permit the Director of Health to place defendants charged with misdemeanors or felonies not involving violence or attempted violence, in the least restrictive environment appropriate, in light of the defendant's treatment needs and the need to prevent harm to the person confined or others.

"The Senators may be familiar with the situation at the State Hospital. It is a very costly facility, one that has been established with security safeguards and requires a lot of maintenance and sizeable personnel costs. The committee determined that there are persons who have been charged with Penal Code violations, who nevertheless require treatment needs more than criminal corrective measures; this would permit the Director of Health to meet both the defendant's needs and the public's need for security, and the cost concerns, all at the same time."

Senator Abercrombie then stated:

"Mr. President, I appreciate the chairman's remarks because I believe I should have amended my question a bit further than I did. What I'm trying to get at here is that I'm not

quite sure why it is exclusively residing with the Director of Health. That's what I meant about the kind of crime, and I should have gotten to that point.

"The reason for this, Mr. President, is that there have been questions in the past concerning the role of the Judiciary, that is to say, whether the judges should be making decision or the Director of the Department of Health should be making decisions in this area. So, may I take it then, that in the chairman's mind, that there is not a role in this language for the Judiciary as such, rather the Director of the Department of Health? That's what I should have asked."

Senator Chang then replied:

"Mr. President. That is correct. If the Senator will refer to Section 704-411.1(a), on page 1, he will find that the court commits to the Director of Health such defendants and this is just the continuation of that commission and custody to the Director of Health. Subsection (b) then goes on to discuss situations where the court may order the defendant released; or, in a separate subsection (c), discharged from custody; so that this new language really relates to the flexibility permitted to the Director of Health, while the defendant is within the Director's custody and control."

Senator Abercrombie then stated:

"In that case, Mr. President, I'd like to speak in favor of the bill. I think then, it does not diminish the responsibility of the courts and if I understand the chairman correctly, it will provide a method whereby there will be increased communication between the State Hospital, as the designate of the Director of Health in this area, increases communication between that institution and its treatment and the courts. If this is the effect of this legislation, it may tend to reduce the chances of incidents occurring which will have a detrimental effect both on the defendants placed there and on society."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 24 was adopted and H.B. No. 1557, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESPONSIBILITY AND FITNESS OF DEFENDANT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 25 (H.B. No. 1417, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 25 was adopted and H.B. No. 1417, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CHILD PROTECTIVE ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 26 (H.B. No. 1342, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 26 was adopted and H.B. No. 1342, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY AND FITNESS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 27 (H.B. No. 1119, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 27 and H.B. No. 1119, H.D. 2, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 28 (H.B. No. 992, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 28 was adopted and H.B. No. 992, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOG CONTROL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 29 (H.B. No. 535, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 29 was adopted and H.B. No. 535, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII ADMINIS-

TRATIVE PROCEDURE ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 30 (H.B. No. 467, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 30 was adopted and H.B. No. 467, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 31 (H.B. No. 1562, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 31 was adopted and H.B. No. 1562, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EFFECT OF FINDING OF UNFITNESS TO PROCEED," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 32 (S.B. No. 180, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 32 was adopted and S.B. No. 180, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 33 (S.B. No. 181, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 33 was adopted and S.B. No. 181, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NURSING HOME ADMINISTRATORS ACT," having been read throughout, passed Final Reading on the following

showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 34 (S.B. No. 247, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 34 was adopted and S.B. No. 247, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE AND COLLECTION SERVICING AGENTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 35 (S.B. No. 555, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 35 was adopted and S.B. No. 555, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE FEES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 36 (S.B. No. 711, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 36 was adopted and S.B. No. 711, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRACTICING PSYCHOLOGISTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 37 (S.B. No. 735, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 37 was adopted and S.B. No. 735, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 38 (S.B. No. 631, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 38 was adopted and S.B. No. 631, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVOLUNTARY CIVIL COMMITMENT UNDER MENTAL HEALTH LAW. ADMISSIONS FOR NONEMERGENCY TREATMENT OR SUPERVISION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 39 (H.B. No. 390, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 39 was adopted and H.B. No. 390, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUIETING TITLE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 40 (H.B. No. 1266, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 40 was adopted and H.B. No. 1266, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, AND SEPARATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 41 (H.B. No. 663, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 41 was adopted and H.B. No. 663, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VICTIMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 42

(H.B. No. 1102, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 42 was adopted and H.B. No. 1102, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 43 (H.B. No. 901, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 43 was adopted and H.B. No. 901, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 44 (S.B. No. 30, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 44 was adopted and S.B. No. 30, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 45 (S.B. No. 800, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 45 and S.B. No. 800, S.D. 1, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 46 (H.B. No. 393, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 46 and H.B. No. 393, H.D. 2, S.D. 2, C.D. 1, was deferred to the end of the calendar.

At 1:00 o'clock p.m., the Senate stood in recess subject to the call of

the Chair.

The Senate reconvened at 1:03 o'clock p.m.

Conference Committee Report No. 47 (S.B. No. 1338, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 47 was adopted and S.B. No. 1338, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 48 (S.B. No. 1050, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 48 was adopted and S.B. No. 1050, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATTENDANCE AT CLASSES OUTSIDE A SCHOOL DISTRICT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 49 (S.B. No. 1122, S.D. 2, H.D. 2, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 49 be adopted and S.B. No. 1122, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

At this time, Senator Abercrombie rose and stated as follows:

"Mr. President, speaking in favor of this measure, I hope that in the future the State Librarian's position will be recognized for the Department Head status that it in fact, has as a result of our legislation and as a result of the policies which we have established in recognition of the library as it is attempting to become a modern system. Thank you."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 49, and S.B. No. 1122, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN," having been read throughout, passed Final Reading on the following showing of

Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 50, H.B. No. 1018, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 50 was adopted and H.B. No. 1018, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL BANKING FACILITIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 51 (S.B. No. 80, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 51 was adopted and S.B. No. 80, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 52 (S.B. No. 1003, S.D. 1, H.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 52 be adopted and S.B. No. 1003, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

At this time, Senator Kawasaki rose to ask for a ruling of the Chair as to a possible conflict of interest as he is in the real estate development field.

The President then ruled that there was no conflict.

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 52 was adopted and S.B. No. 1003, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND SALES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 53 (H.B. No. 753, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 53 was adopted and H.B. No. 753, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 54 (H.B. No. 1587, H.D. 1, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 54 be adopted and H.B. No. 1587, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

At this time, Senator Cobb rose and stated:

"Mr. President I'd just like to bring to the members' attention, as well as to express very clearly the legislative intent contained in Section 2, page 3, of the bill. The grandfather clause, which is consistent with the Liquor Commission guidelines and rules and regulations of a 25% change or more in ownership, that the grandfather clause is and intended to be very permanent and that if anybody who would suffer by a subsequent action changing this grandfather clause, would, in my opinion, have a pretty good cause of action.

"The Supreme Court of the United States ruled nine to nothing that it is permissible for states to regulate liquor in this manner, and therefore, the bill which was held over from last year because of that pending court decision is now being acted upon. Thank you."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 54 was adopted and H.B. No. 1587, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 55 (S.B. No. 904, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, sec-

onded by Senator Soares and carried, Conf. Com. Rep. No. 55 was adopted and S.B. No. 904, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAIR DEALERSHIP PRACTICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 56 (S.B. No. 903, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 56 and S.B. No. 903, S.D. 1, H.D. 2, C.D. 1, was deferred to the end of the calendar.

At 1:09 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:12 o'clock p.m.

Conference Committee Report No. 57 (S.B. No. 787, S.D. 1, H.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 57 be adopted and S.B. No. 787, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

Senator Abercrombie then rose and stated:

"Mr. President, speaking in favor of this bill, I'd like to compliment the chairman and his committee on working on this. It's a big step forward for people and it's taken a lot of work to get here and I hope that the beneficiaries out there who are living under horizontal property regimes will be able to put it to good use."

Senator Cobb then rose and stated:

"Mr. President, I rise just to thank the Senator for his kind words and also to echo the same sentiments. Thank you."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 57 was adopted and S.B. No. 787, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 58 (H.B. No. 966, H.D. 2, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 58 be adopted and H.B. No. 966, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

At this time, Senator Carpenter then rose and stated:

"Mr. President, on House Bill No. 966, just a quick question relating to page 5, lines 2 and 3. I just wanted to ask the chairman if this section authorizes insurers to deny rebate or refund if the car happens to be totaled, stolen, or if the individual moves out of the state before the expiration of six months?"

Senator Cobb then replied:

"In answer to the question, Mr. President, the answer is no, it does not."

Senator Carpenter replied:

"Thank you."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 58 was adopted and H.B. No. 966, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Ajifu).

At this time, the President stated:

"With reference to Conference Committee Report Nos. 59 to 78, these need to be deferred to the end of the calendar for the purposes of meeting the 48-hour deferral period."

Senator Abercrombie then rose and queried:

"Mr. President, excuse me, I missed that. I did not understand the import."

The President replied:

"That the time of 48 hours has not yet elapsed?"

Senator Abercrombie then stated:

"Is this with respect to H.B. No. 915? Is that what we're discussing?"

The President replied:

"We are now on page 8 of the Order of the Day, beginning with Conference Committee Report Nos. 59 through 78."

Senator Abercrombie then stated:

"So the reference is to Committee Report Nos. 59 through 78?"

The President replied:

"That is correct, Senator Abercrombie."

Senator Toguchi then rose and queried:

"Mr. President, as a request to the Chair, as these types of bills come up, could we also have the clocking times?"

At 1:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:42 o'clock p.m.

At this time, the President stated:

"An inquiry was made of the Chair relative to the clocking times on certain bills. With reference to page 8 of the Order of the Day, beginning with Conference Committee Report No. 59, Report Nos. 59, 60, 61 and 62 were clocked at 1:00 o'clock p.m. With reference to Report Nos. 63 to 68, Report Nos. 63, 65, 67 and 68 contain money and so they will be placed at the end of the calendar. Report Nos. 64 and 66, which were clocked at 6:00 o'clock p.m. will also be placed at the end of the calendar. Report No. 69, which deals with the State Budget, was clocked at 9:07 o'clock p.m. The following Report Nos. 70 to 78 are also deferred to the end of the calendar."

Conference Committee Report No. 59 (S.B. No. 915, S.D. 1, C.D. 2):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 59 was adopted and S.B. No. 915, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Cayetano).

Conference Committee Report No. 60 (H.B. No. 337, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 60 was adopted and H.B. No. 337, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES AND MOPEDES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Cayetano).

Conference Committee Report No. 61 (S.B. No. 1105, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 61 was adopted and S.B. No. 1105, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Cayetano).

Conference Committee Report No. 62 (S.B. No. 1247, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 62 was adopted and S.B. No. 1247, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 63 (S.B. No. 1062, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 63 and S.B. No. 1062, S.D. 2, H.D. 2, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 64 (S.B. No. 834, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 64 and S.B. No. 834, S.D. 1, H.D. 2, C.D. 1,

was deferred to the end of the calendar.

Conference Committee Report No. 65 (S.B. No. 4, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 65 and S.B. No. 4, S.D. 1, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 66 (H.B. No. 1434, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 66 and H.B. No. 1434, H.D. 1, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 67 (S.B. No. 994, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 67 and S.B. No. 994, S.D. 1, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 68 (S.B. No. 937, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 68 and S.B. No. 937, S.D. 1, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 69 (H.B. No. 1, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 69 and H.B. No. 1, H.D. 1, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 70 (S.B. No. 1279, S.D. 2, H.D. 2, C.D. 2):

By unanimous consent, action on Conf. Com. Rep. No. 70 and S.B. No. 1279, S.D. 2, H.D. 2, C.D. 2, was deferred to the end of the calendar.

Conference Committee Report No. 71 (H.B. No. 387, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 71 and H.B. No. 387, H.D. 2, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 72 (H.B. No. 45, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 72 and H.B. No. 45, H.D. 2, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 73 (H.B. No. 1190, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 73 and H.B. No. 1190, H.D. 2, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 74 (H.B. No. 670, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 74 and H.B. No. 670, H.D. 1, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 75 (H.B. No. 5, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 75 and H.B. No. 5, H.D. 1, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 76 (H.B. No. 236, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 76 and H.B. No. 236, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 77 (H.B. No. 225, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 77 and H.B. No. 225, H.D. 1, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 78 (H.B. No. 702, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 78 and H.B. No. 702, H.D. 2, S.D. 2, C.D. 1, was deferred to the end of the calendar.

At 1:49 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:50

o'clock p.m.

THIRD READING

House Bill No. 514:

On motion by Senator Cobb, seconded by Senator Soares and carried H.B. No. 514, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 657:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 657, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF ELECTRICIANS AND PLUMBERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 234:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 234, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 273:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 273, entitled: "A BILL FOR AN ACT RELATING TO THE SUBPOENA POWERS OF THE DIRECTOR OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 284, H.D. 1:

By unanimous consent, action on House Bill No. 284, H.D. 1, was deferred to the end of the calendar.

House Bill No. 340:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 340, entitled: "A BILL

FOR AN ACT RELATING TO ACUPUNCTURE PRACTITIONERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 440:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 440, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1129:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1129, entitled: "A BILL FOR AN ACT RELATING TO CONFESSION BID DEPOSITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 985 (H.B. No. 72, H.D. 2):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 985 was adopted and H.B. No. 72, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 187, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 187, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

ADVISE AND CONSENT

Standing Committee Report No. 978 (Gov. Msg. No. 277):

Senator Cobb moved that Stand. Com. Rep. No. 978 be received and placed on file, seconded by Senator

Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Nicholas W. Teves, Jr., to the Board of Electricians and Plumbers, term to expire December 31, 1985, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 979 (Gov. Msg. No. 286):

Senator Cobb moved that Stand. Com. Rep. No. 979 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Ryokichi Higashionna, Ph.D. as Director of Transportation, term to expire December 1, 1986, seconded by Senator Soares and carried.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 982 (Gov. Msg. No. 278):

Senator Cobb moved that Stand. Com. Rep. No. 982 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Massage as follows:

Eve Clute, term to expire December 31, 1986; and

Rex R. Ball, term to expire December 31, 1983,

seconded by Senator Soares.

The motion was put the the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 986 (Gov. Msg. No. 108):

Senator Cobb moved that Stand. Com. No. 986 be received and placed on file, seconded by Senator Soares

and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Charles M. Saiki, Frank G. Stone, Jr., Reginald Young, D.Sc., and Dennis Tulang, to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, terms to expire December 31, 1986, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 991 (Gov. Msg. No. 230, 264 and 280):

Senator Cobb moved that Stand. Com. Rep. No. 991 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Flora M. Shota and Sharon Bazzell, to the Library Advisory Commission, County of Kauai, terms to expire December 31, 1986, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Library Advisory Commission, County of Maui, as follows:

Edwin T. Silva, term to expire December 31, 1986;

Penny Lou Endo, term to expire December 31, 1986;

Kerry Yukio Ogawa, term to expire December 31, 1983; and

Harriet Anne Borton, term to expire December 31, 1986,

seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Library Advisory Commission, County of Hawaii, as

follows:

Hideo Kuniyoshi, term to expire December 31, 1983; and

Diana B. Kahler, term to expire December 31, 1986,

seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1002 (Gov. Msg. Nos. 82, 162 and 257):

Senator Cobb moved that Stand. Com. Rep. No. 1002 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Katsumi Higa, Barry Brennan, Ph.D. and Mark D. Merlin, Ph.D., to the Advisory Committee on Pesticides, terms to expire December 31, 1986, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nomination of Stanley T. Tomono, to the Advisory Committee on Agricultural Products, term to expire December 31, 1984, seconded by Senator Soares.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Advisory Committee on Pesticides, as follows:

Charles Y. Nagamine, term to expire December 31, 1986;

Darryl K.H. Choy, term to expire December 31, 1984; and

James K. Ikeda, term to expire December 31, 1986,

seconded by Senator Soares and carried.

The motion was put by the Chair

and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

MATTERS DEFERRED FROM
APRIL 20, 1983

Standing Committee Report No. 992
(S.C.R. No. 98):

By unanimous consent, Stand. Com. Rep. No. 992 and S.C.R. No. 98, entitled: "SENATE CONCURRENT RESOLUTION URGING THE U.S. GENERAL SERVICES ADMINISTRATION TO EXPEDITE STATE ACQUISITION OF FEDERAL LAND AT SALT LAKE, OAHU, FOR THE SITE OF THE SALT LAKE/MOANALUA COMMUNITY LIBRARY," were recommitted to the Committee on Education.

Standing Committee Report No. 993
(S.R. No. 115):

By unanimous consent, Stand. Com. Rep. Non. 993 and S.R. No. 115, entitled: "SENATE RESOLUTION URGING THE U.S. GENERAL SERVICES ADMINISTRATION TO EXPEDITE STATE ACQUISITION OF FEDERAL LAND AT SALT LAKE, OAHU, FOR THE SITE OF THE SALT LAKE/MOANALUA COMMUNITY LIBRARY," were recommitted to the Committee on Education.

Standing Committee Report No. 994
(S.C.R. No. 99):

By unanimous consent, Stand. Com. Rep. No. 994 and S.C.R. No. 99, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE ESTABLISHMENT OF A PUBLIC LIBRARY PORTASTRUCTURE IN THE MOANALUA-SALT LAKE AREA," were recommitted to the Committee on Education.

At 1:44 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:47 o'clock p.m.

At this time, Senator Kuroda, on behalf of the Senate, introduced the newly confirmed Director of Transportation, Mr. Ryokichi Higashionna.

FINAL READING

Senate Bill No. 184, S.D. 1, H.D. 1:

Senator Cobb moved that S.B. No. 184, S.D. 1, H.D. 1, having been read throughout, pass Final Reading,

seconded by Senator Soares.

Senator Carpenter then rose and stated:

"Mr. President, I have no objections to the bill, however, just one quick question, please. I notice that the language which designates Doctor of Osteopathy goes to Dr. or D.O., and I'd just like to ask a general question. Does not D.O. include the designation for Doctor of Optometry, as well, and is there a possibility of confusion here?"

Senator Cobb then replied:

"Mr. President, in response to the question, the answer is no. An optometrist does not receive a Ph.D. level degree, but does have a schooling requirement. D.O. is limited to Doctors of Osteopathy and Dennis O'Connor."

The motion was put by the Chair and carried, and S.B. No. 184, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF OSTEOPATHY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 669, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 669, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

MATTERS DEFERRED FROM
APRIL 21, 1983

Standing Committee Report No. 1008
(S.C.R. No. 74):

Senator Cobb moved that Stand. Com. No. 1008 be adopted and S.C.R. No. 74 be adopted, seconded by Senator Soares.

At this time, Senator Kawasaki rose and stated:

"Mr. President, while I support the intent of the resolution, I have question for the chairman of the Ways and Means Committee, if he would yield to a question.

"The work being done by the

Legislative Auditor...is the cost of doing the study being allocated out of the \$150,000 we set aside for audit reports to be conducted by the Legislative Auditor, or is that coming out from part of the allocation to that office, exclusive of the \$150,000?"

Senator Yamasaki replied:

"It would be from the \$150,000 appropriated to the Auditor's office and which would require the authorization of the Speaker of the House and the President of the Senate."

Senator Kawasaki then continued:

"I was afraid of that. That's my concern. Perhaps, in my judgment, this study could be given to the Legislative Reference Bureau and they pay for the cost of this out of their allocation (the lump sum allocation they get).

"I'm just afraid that in view of the many legislative audits we're asking, requesting by resolution, and a number of them have passed us, I just wonder whether we have enough appropriated for the Legislative Auditor to conduct this kind of study, and this one doesn't seem to be so monumental, and I just wonder if that couldn't be handled by the Reference Bureau instead."

Senator Cobb then rose and stated:

"In response, Mr. President, first, this was the result of the demise of H.B. No. 209, which went through five readings and was an Administration measure proposing a change to the Department of Agriculture from the present Department of Commerce and Consumer Affairs on a number of line items as well as functions on the staff level, most of which are consumer related.

"When we examined the legislative history behind it, we found that at least five previous legislatures had found that the preference was to have these within any state department that was directly dealing with consumers. During the course of the hearing, we also found that the Department of Commerce and Consumer Affairs would be able to act more expeditiously, both in terms of resolving complaints or more importantly, conducting meetings in order to make decisions. Therefore, we changed the Administration bill to retain all of these agencies within the Department of Commerce and Consumer Affairs. The Ways and Means Committee felt, and I think quite

appropriately so, that rather than make a decision creating an impasse in conference, it would be best to have an impartial agency go into a thorough study on this.

"The fact that we have a Senate Resolution and a Senate Concurrent Resolution on the subject indicates that it'll probably have to be followed up next year in the House in order to achieve agreement between the two bodies.

"I think the Auditor is the proper agency because a number of the other resolutions that we adopted today have asked the Legislative Reference Bureau to get into detailed studies on a variety of subjects, and, Mr. President, I think it's important that we get these issues resolved because there is quite an impact for consumers and I would disagree somewhat that it is not a major item. It could very well turn out to be just that."

Senator Kawasaki then replied:

"Might I suggest then, that perhaps the Governor's Contingency Fund of \$200,000 be tapped for this study."

Senator Abercrombie then rose and stated:

"Mr. President, speaking in favor of the resolution, I would like to refer to the Consumer Protection and Commerce Committee chairman's remarks. I find them very pertinent and an echo somewhat of my own yesterday. I hope the result is happier for the chairman of Consumer Protection and Commerce than it was for mine."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 1008 was adopted and S.C.R. No. 74, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE RAMIFICATIONS OF RELOCATING THE WEIGHTS AND MEASURES FUNCTION FROM THE DEPARTMENT OF AGRICULTURE TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was adopted.

Standing Committee Report No 1009 (S.R. No. 95):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1009 was adopted and S.R. No. 95, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE RAMIFICATIONS OF RELOCATING THE WEIGHTS AND MEASURES FUNCTION FROM THE

DEPARTMENT OF AGRICULTURE TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was referred to the Committee on Legislative Management.

Standing Committee Report No. 1010 (S.C.R. No. 58, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1010 was adopted and S.C.R. No. 58, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE EXEMPTION OF HAWAII FROM THE FEDERAL LAW ASSESSING DAIRY FARMERS MONEYS FROM THE GROSS PROCEEDS FOR EACH 100 POUNDS OF MILK MARKETED COMMERCIALY TO OFFSET THE NATIONWIDE MILK SURPLUS," was adopted.

Standing Committee Report No. 1011 (S.R. No. 73, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1011 was adopted and S.R. No. 73, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE EXEMPTION OF HAWAII FROM THE FEDERAL LAW ASSESSING DAIRY FARMERS MONEYS FROM THE GROSS PROCEEDS FOR EACH 100 POUNDS OF MILK MARKETED COMMERCIALY TO OFFSET THE NATIONWIDE MILK SURPLUS," was adopted.

Standing Committee Report No. 1012 (S.C.R. No. 82):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1012 was adopted and S.C.R. No. 82, entitled: "SENATE CONCURRENT RESOLUTION URGING THE ENVIRONMENTAL PROTECTION AGENCY AND THE HAWAII STATE DEPARTMENT OF HEALTH TO RELAX WATER QUALITY STANDARDS FOR SUGAR PRODUCERS ON HAWAII'S HILO-HAMAKUA COAST," was adopted.

Standing Committee Report No. 1013 (S.R. No. 107):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1013 was adopted and S.R. No. 107, entitled: "SENATE RESOLUTION URGING THE ENVIRONMENTAL PROTECTION AGENCY AND THE HAWAII STATE DEPARTMENT OF HEALTH TO RELAX WATER QUALITY STANDARDS FOR SUGAR PRODUCERS ON HAWAII'S HILO-HAMAKUA COAST," was adopted.

Standing Committee Report No. 1014 (S.C.R. No. 68):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1014 was adopted and S.C.R. No. 68, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES ARMY TO REPORT ON THE PROGRESS OF FIRE HAZARD MANAGEMENT FOR THE POHAKULOA TRAINING AREA, ISLAND OF HAWAII," was adopted.

Standing Committee Report No. 1015 (S.R. No. 87):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1015 was adopted and S.R. No. 87, entitled: "SENATE RESOLUTION REQUESTING THE UNITED STATES ARMY TO REPORT ON THE PROGRESS OF FIRE HAZARD MANAGEMENT FOR THE POHAKULOA TRAINING AREA, ISLAND OF HAWAII," was adopted.

Standing Committee Report No. 1016 (S.C.R. No. 71):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1016 was adopted and S.C.R. No. 71, entitled: "SENATE RESOLUTION REQUESTING THE APPOINTMENT OF A SPECIAL TASK FORCE TO CONDUCT A STUDY EVALUATING THE HISTORIC PRESERVATION PROGRAM," was adopted.

Standing Committee Report No. 1017 (S.R. No. 90):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1017 was adopted and S.R. No. 90, entitled: "SENATE RESOLUTION REQUESTING THE APPOINTMENT OF A SPECIAL TASK FORCE TO CONDUCT A STUDY EVALUATING THE HISTORIC PRESERVATION PROGRAM," was adopted.

Standing Committee Report No. 1018 (S.C.R. No. 93, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1018 was adopted and S.C.R. No. 93, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONCERNING MAKUA AND KAHANAHAIKI," was adopted.

Standing Committee Report No. 1019 (S.C.R. No. 56):

On motion by Senator Cobb, seconded by Senator Soares and carried,

Stand. Com. Rep. No. 1019 was adopted and S.C.R. No. 56, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO HISTORIC PRESERVATION AND HAWAIIAN AFFAIRS," was adopted.

Standing Committee Report No. 1020 (S.R. No. 85, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1020 was adopted and S.R. No. 85, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A BLUE RIBBON RISK ASSESSMENT TEAM TO CLINICALLY EVALUATE THE POTENTIAL HEALTH HAZARDS FACING HUMANS, AND INFANTS IN PARTICULAR, AS A RESULT OF RECENT HEPTACHLOR CONTAMINATION," was adopted.

Standing Committee Report No. 1021 (S.R. No. 89):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1021 was adopted and S.R. No. 89, entitled: "SENATE RESOLUTION RELATING TO ESTABLISHING AN INFORMATION OFFICE IN THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was adopted.

Standing Committee Report No. 1022 (S.R. No. 81):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1022 was adopted and S.R. No. 81, entitled: "SENATE RESOLUTION REQUESTING A REPORT ON CORRECTIVE MEASURES FOR DANGEROUS CONDITIONS AT WAIANAE BOAT HARBOR," was adopted.

Standing Committee Report No. 1023 (S.R. No. 41, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1023 was adopted and S.R. No. 41, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE USE OF HERBICIDES, PESTICIDES, TOXIC SPRAYS, AND SIMILAR CHEMICALS," was adopted.

Standing Committee Report No. 1024 (S.R. No. 141):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1024 was adopted and S.R. No. 141, entitled: "SENATE RESOLUTION REQUESTING THE CORPS OF ENGINEERS TO

CONDUCT A STUDY ON THE NEIGHBOR ISLANDS BEACH EROSION," was adopted.

Standing Committee Report No. 1025 (S.R. No. 102):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1025 was adopted and S.R. No. 102, entitled: "SENATE RESOLUTION RECOGNIZING THE FINANCIAL PLIGHT OF HAWAII'S FARMERS AND REQUESTING LENDING INSTITUTIONS TO IMPLEMENT MEASURES TO DEFER OR REDUCE THE REPAYMENT AMOUNTS OF LOANS MADE TO CERTAIN FARMERS," was adopted.

Standing Committee Report No. 1026 (S.R. No. 137):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1026 was adopted and S.R. No. 137, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON ECONOMIC DEVELOPMENT TO CONDUCT AN INTERIM STUDY ON SIGNIFICANT STATEWIDE INTEREST AFFECTED BY LAND USE RECLASSIFICATION," was referred to the Committee on Legislative Management.

Standing Committee Report No. 1027 (H.C.R. No. 21):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1027 was adopted and H.C.R. No. 21, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF STRATEGIC PETROLEUM RESERVES IN HAWAII," was adopted.

Standing Committee Report No. 1028 (S.R. No. 132):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1028 was adopted and S.R. No. 132, entitled: "SENATE RESOLUTION REQUESTING A DESIGN STUDY OF AN UNDERWATER CABLE SYSTEM FOR THE ELECTRICAL INTERCONNECTION OF THE ISLANDS OF MAUI AND MOLOKAI," was adopted.

Standing Committee Report No. 1029 (H.C.R. No. 17):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1029 was adopted and H.C.R. No. 17, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY URGING THE PRESI-

DENT AND THE CONGRESS TO AUTHORIZE THE CONTINUED USE OF TAX-EXEMPT REVENUE BONDS AS THE PRIMARY SOURCE OF FUNDING FOR HAWAII'S HULA MAE MORTGAGE LOAN PROGRAM," was adopted.

Standing Committee Report No. 1030 (S.C.R. No. 79):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1030 was adopted and S.C.R. No. 79, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES, THE SECRETARY OF THE INTERIOR, THE SECRETARY OF DEFENSE AND ALL OTHERS CONCERNED TO DECLARE A MORATORIUM ON THE TRANSFER OF LANDS IN HAWAII," was adopted.

Standing Committee Report No. 1031 (S.C.R. No. 108):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1031 was adopted and S.C.R. No. 108, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONTINUATION OF THE LEGISLATIVE AUDITOR'S INVENTORY OF LANDS IN THE PUBLIC TRUST AND THE POSSIBLE CONFLICTING CLAIMS MADE ON REVENUES DERIVED THEREFROM," was adopted.

Standing Committee Report No. 1032 (S.R. No. 125, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1032 was adopted and S.R. No. 125, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII SMALL BUSINESS ADVISORY COMMITTEE AND OTHER BUSINESS GROUPS TO IDENTIFY SPECIFIC STATE ADMINISTRATIVE AGENCY RULES AND PROCEDURES WHICH ARE UNREASONABLY COSTLY OR BURDENSOME TO BUSINESS GENERALLY AND SMALL BUSINESS SPECIFICALLY," was adopted.

Standing Committee Report No. 1033 (S.C.R. No. 60, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1033 was adopted and S.C.R. No. 60, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INTERIM STUDY COMMITTEE TO UNDERTAKE A REVIEW OF THE HAWAII LAW AND RULES RELATING TO THE PRACTICE

OF PSYCHOLOGY AND TO RECOMMEND APPROPRIATE AMENDMENTS," was adopted.

Standing Committee Report No. 1034 (S.R. No. 75):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1034 was adopted and S.R. No. 75, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INTERIM STUDY COMMITTEE TO UNDERTAKE A REVIEW OF THE HAWAII LAW AND RULES RELATING TO THE PRACTICE OF PSYCHOLOGY AND TO RECOMMEND APPROPRIATE AMENDMENTS," was referred to the Committee on Legislative Management.

Standing Committee Report No. 1035 (S.C.R. No. 51):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1035 was adopted and S.C.R. No. 51, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INTERIM STUDY ON DEFAULTS ON AGREEMENTS OF SALE," was adopted.

Standing Committee Report No. 1036 (S.R. No. 66):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1036 was adopted and S.R. No. 66, entitled: "SENATE RESOLUTION REQUESTING AN INTERIM STUDY ON DEFAULTS ON AGREEMENTS OF SALE," was adopted.

Standing Committee Report No. 1037 (S.R. No. 76, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1037 was adopted and S.R. No. 76, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO DETERMINE HOW PRIVATE MEDICAL INSURANCE MAY BE USED TO PROVIDE LONG-TERM CARE BENEFITS TO HAWAII'S ELDERLY PEOPLE," was adopted.

Standing Committee Report No. 1038 (S.R. No. 57, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1038 was adopted and S.R. No. 57, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO REVIEW THE GENERAL SERVICE

PRACTICES OF T.V. SYSTEMS INC.," was adopted.

Standing Committee Report No. 1039 (S.C.R. No. 45, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1039 was adopted and S.C.R. No. 45, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO REVIEW THE GENERAL SERVICE PRACTICES OF T.V. SYSTEMS INC.," was adopted.

Standing Committee Report No. 1040 (S.R. No. 145):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1040 was adopted and S.R. No. 145, entitled: "SENATE RESOLUTION REQUESTING COORDINATED EFFORTS IN ENSURING COMPLIANCE OF UNLICENSED CONTRACTORS WITH THE HAWAII REVISED STATUTES," was adopted.

Standing Committee Report No. 1041 (S.C.R. No. 115):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1041 was adopted and S.C.R. No. 115, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING COORDINATED EFFORTS IN ENSURING COMPLIANCE OF UNLICENSED CONTRACTORS WITH THE HAWAII REVISED STATUTES," was adopted.

Standing Committee Report No. 1042 (S.R. No. 51, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1042 was adopted and S.R. No. 51, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE STUDY OF A RESIDENTIAL PROPERTY TRANSFER CODE," was adopted.

Standing Committee Report No. 1043 (S.C.R. No. 33, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1043 was adopted and S.C.R. No. 33, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STUDY OF A RESIDENTIAL PROPERTY TRANSFER CODE," was adopted.

Standing Committee Report No. 1044 (H.C.R. No. 91):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1044 was adopted and H.C.R. No. 91, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE NECESSITY AND FEASIBILITY OF A COMPREHENSIVE REVIEW OF THE HAWAII INSURANCE LAWS," was adopted.

Standing Committee Report No. 1045 (S.R. No. 17, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1045 was adopted and S.R. No. 17, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY FOR CONSTRUCTION OF A CONVENTION CENTER," was adopted."

Standing Committee Report No. 1046 (H.C.R. No. 57):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1046 was adopted and H.C.R. No. 57, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COMMERCIAL AND CABLE NETWORKS TO INCLUDE HAWAII IN THEIR DAILY NATIONAL WEATHER REPORTS," was adopted."

Standing Committee Report No. 1047 (H.C.R. No. 172, H.D. 1, S.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1047 was adopted and H.C.R. No. 172, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE STUDY BY THE LEGISLATIVE AUDITOR OF ALL CAUSES AND OTHER MATTERS, EVENTS, ORGANIZATIONS, INCLUDING LABOR, EMPLOYERS, GOVERNMENT, MEDICAL CARE AND REHABILITATION AND THE INSURANCE INDUSTRY WHICH MAY AFFECT THE COST OF WORKERS' COMPENSATION IN HAWAII," was adopted.

Standing Committee Report No. 1048 (S.R. No. 136):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1048 was adopted and S.R. No. 136, entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE THE APPROPRIATE STATE AGENCY TO PROVIDE CHILD ABUSE AND NEGLECT PREVENTION SERVICES," was adopted.

Standing Committee Report No. 1049

(S.R. No. 61):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 1049 was adopted and S.R. No. 61, entitled: "SENATE RESOLUTION REQUESTING THE STATE TO AGGRESSIVELY PUSH FOR AN AGREEMENT WITH THE NAVY WHICH PROVIDES THAT THE STATE BE IMMEDIATELY NOTIFIED OF OCCURRENCES SUCH AS LEAKS OF RADIOACTIVE MATERIAL INTO PEARL HARBOR AND BE PERMITTED TO PERFORM INDEPENDENT MONITORING IMMEDIATELY AFTER SUCH RADIOLOGICAL ACCIDENTS OCCUR, AND ARRANGE TO PERFORM INDEPENDENT MONITORING ON A REGULAR BASIS," was adopted.

FINAL READING

Senate Bill No. 6, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 6, S.D. 1, H.D. 2, was deferred to the end of the calendar.

Senate Bill No. 368, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 368, S.D. 1, H.D. 1, was deferred to the end of the calendar.

Senate Bill No. 608, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 608, S.D. 1, H.D. 1, was deferred to the end of the calendar.

S.B. No. 418, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 418, S.D. 1, H.D. 1, was deferred to the end of the calendar.

THIRD READING

Standing Committee Report No. 917 (H.B. No. 1262, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 917 and H.B. No. 1262, H.D. 1, was deferred to the end of the calendar.

House Bill No. 1531, H.D. 1:

Senator Cobb moved that H.B. No. 1531, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Soares.

At this time, Senator Carpenter rose and stated:

"Mr. President, I rise to speak against this bill.

"Mr. President, I just don't think

that a moratorium, per se, is going to accomplish a great deal. I think we all know that the problem is not with the insurance companies in this particular case, but that it is the result rather than the cause. I recognize that this bill has been held over pending the passage of resolutions which would address the worker's compensation situation in its entirety and hope that that would more adequately address the root cause rather than taking this kind of action. I suggest a 'no' vote on this measure. Thank you."

At 1:56 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:00 o'clock p.m.

Senator Kawasaki then stated:

"Mr. President, I rise to speak in favor of the passage of this bill. I think short of doing something of this nature, that is to say a moratorium, I'm afraid that the plight of the small businessman is not being addressed. It just might end up in the small business sector of our community just suffering more than they should. Perhaps this is a palliative to be true, to be honest about it, perhaps this is better than nothing that we have proposed so far in this session."

Senator Henderson then stated:

"Mr. President, I rise to speak against this bill. I am opposed to any form of price control, which this represents, and I feel that the resolution we passed addresses the problem. The effect of this bill would be very minimal because there's not a retroactive provision in it. The rate increases have already gone into effect. It's inapplicable, in addition to being ineffective, because it only controls the premiums and not the benefits. It's not an even-handed bill and I recommend a 'no' vote."

Senator Cobb then rose and stated:

"Speaking in favor of this bill, Mr. President, I'd like to rebut point by point, each of the arguments raised.

"First, we did address one of the problems in the insurance area by the passage of H.B. No. 1528, which dealt with the subject of investment income, as it related to workers' compensation. Second, I have made it clear, both in committee and on the floor of this Senate, that this bill is directly and inextricably related to

the resolutions calling for the study by the Legislative Auditor's report. Third, there will be an interim report on the subject of what the insurance increase would have been in February of 1984, during the first month of the moratorium. Fourth, the reason benefits were not included was because during the course of the public hearing, it was made very clear by the actuaries and others present testifying on this subject, that the level of benefits, if frozen, would only impact only one to two percent of the amount of the actual cost. Finally, Mr. President, I think the moratorium is necessary so that small business can survive and give us time to act by getting a comprehensive study accomplished with an interim report on that study due prior to the 1984 session, and a final report due prior to the 1985 session. If we fail to act, then the monkey will very clearly be on our backs. Thank you."

The motion was put by the Chair and carried and H.B. No. 1531, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Ajifu, Carpenter, George, Henderson, Soares and Uwaine).

At 2:04 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:19 o'clock p.m.

At 2:20 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate stood in recess until 5:00 o'clock p.m., this afternoon.

EVENING SESSION

The Senate reconvened at 6:30 o'clock p.m., with all Senators present.

At this time, Senator Cobb moved that upon the expiration of the 48-hour notice, Conf. Com. Rep. No. 69 be adopted and House Bill No. 1, H.D. 1, S.D. 1, C.D. 1, pass Final Reading, seconded by Senator Uwaine and carried.

Senator Cobb then moved for the creation of a Special Order to limit the debate on House Bill No. 1, H.D. 1, S.D. 1, C.D. 1, to 10:00 o'clock

p.m., seconded by Senator Uwaine.

Senator Abercrombie then objected:

"Mr. President, I..."

The President then interjected:

"This vote on this issue requires a two-thirds majority. Mr. Clerk, please call the Roll."

Senator Abercrombie queried further:

"Mr. President?"

Senator Toguchi then rose and stated:

"Mr. President, I would like to call for a recess!"

The President instructed the Clerk to call the Roll and Senator Cayetano then rose and queried:

"Mr. President, are you going to recognize the Senators?"

The President replied:

"No. I will not."

Senator Cayetano then continued:

"Then there is no need to play this charade, Mr. President."

Senator Abercrombie then asserted:

"Mr. President, I asked for the floor."

The President replied:

"You are out of order, Senator Abercrombie. Mr. Clerk, call the Roll."

Senator Abercrombie then stated:

"Well, I don't know what the bill is. I do not know what the vote is that is being taken."

The President replied:

"The motion is to create a Special Order to fix the time of debate on House Bill No. 1, H.D. 1, S.D. 1, C.D. 1, to end at 10:00 o'clock p.m., at which time, the...."

Senator Abercrombie then interjected:

"Yes, then are you prepared to hear discussion on that?"

Senator Cobb then asserted:

"Mr. President, the motion is not debatable! It is a privileged motion requiring a two-thirds vote."

The motion was put by the Chair, and Roll Call vote having been requested, the motion to create a Special Order to limit the debate on H.B. No. 1, H.D. 1, S.D. 1, C.D. 1, was carried on the following showing of Ayes and Noes:

Ayes 19. Noes, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

At this time, Senator Carpenter rose and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I understand that this is the first time in the annals of the Senate of the State of Hawaii that is being used at this time. Is that correct?"

The President replied:

"No, it is not."

Senator Carpenter then queried:

"Under your jurisdiction then?"

The President replied:

"Under my jurisdiction, yes."

Senator Carpenter then continued:

"Then, also under the representations that you made to us as our leader for the past five sessions, you've always invoked a very open kind of atmosphere, allowing full and free discussion?"

The President replied in the affirmative and Senator Carpenter then queried:

"May I ask at this time, then, why you have taken this route?"

The President replied:

"From all accounts that I have received, any attempt to try and resolve the differences in the Senate that surfaced 15 days ago seems to have fallen upon deaf ears. In the last few days, I have pondered the whole question of how we should conduct the people's business. And, I have come to the conclusion, from the media accounts, that it is not one of the ways to conduct the people's business by filing suit against the Senate for the purpose of retrieving

worksheets, which some people feel are valuable in their determination of the budget.

"But, more importantly, in the last two days, I have been hearing direct accounts attributed to certain Senators in the dissident group, of their plans for a filibuster. And that, I will not condone. We are here for a sixty-day period, to work to the best of our ability to and try and get out on time. And, today, just this evening, on television, I heard one of the dissidents state that, 'Well, it looks like that's the way it's going to be. You can rest assured that a filibuster is for sure.'

"I will not tolerate that action. It grieves me to take this action, but I do believe that we have to get out of here this evening. The reason for this is quite simple. We have been through some very trying times, and I do not want to put any more stress and strain on the Senate than is necessary. I want to try and get this body back together in the interim. And, the sooner that we adjourn and leave this building, the sooner we will be able to reconcile our differences. That is the reason for my action."

Senator Carpenter then replied:

"I appreciate your response, Mr. President. I think that one of the reasons that court action ensued, certainly, was the fact that the coordination and communication which you so eloquently expounded, from the podium all these years, essentially dried up. Mr. President, during the last 48 hours, you may recall a direct plea to you, as the presiding officer of this body, for the information that would make it more appropriate for us, as fellow Senators, to make a fully-informed decision as regards the outcome of the bills before this honorable body.

"Mr. President, you gave us no choice, you certainly gave me no choice, but to leave these chambers at this time, in disrespect for the Chair."

The President then stated:

"That is your choice, Senator Carpenter."

Senator Yamasaki then stated:

"Mr. President, I move that H.B. No. 1, H.D. 1, S.D. 1, C.D. 1, pass Final Reading."

The President replied:

"Senator Yamasaki, that motion has already been made. For clocking purposes the 48-hour waiting period will elapse at 9:07 o'clock p.m."

Senator Abercrombie then stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I'd like to read into the record, my objection to, what I consider, the essence of hypocrisy, with respect to your reasoning (if you can call it reasoning).

"Mr. President, I don't doubt that you do not wish a debate on this budget. After all, the previous speaker that just left, indicated this afternoon, when he went to see the chairman of the Ways and Means Committee and asked if we could have an opportunity, even for half an hour, to view the worksheets, was told, 'no.' Despite everything that's been said, and speaking of television, the use of it, you certainly had your opportunity this afternoon, talking about trying to work things out; making some kind of arrangement; was told 'no' again.

"We're just saying one thing. But what it comes down to, with the bottom line is, that the Ways and Means chairman says, 'no.' That doesn't surprise me any, because the Ways and Means chairman never informed us, in the first place, about the secret budget that's being made. While some of us were out telling the people of this state that we had to cut the budget, under orders from the Ways and Means Committee, in writing; the Ways and Means Committee was out putting together a 'secret' budget together, enabling them to spend a great deal more money than was projected for us to be able to spend. And, the budget document that I have been able to get my hands on here, and take a look at here, shows an enormous increase in expenditures! Way past that in the Governor's budget, which will result in a completely phony set of numbers coming out of this Legislature, which will not only invite, but virtually mandate the Governor to 'slash and burn' this budget, so that people who think that their programs are safe, are going to find that the Legislature completely absconded from its responsibility to do its duty! They placed it on the Governor and said, 'Here, you take care of it.'

"If that was the case, and that was

what your intent was, why didn't you say so on the first day. We could have just passed the budget out of Ways and Means and sent it up to the Governor and told him to do it! And, you talk about the peoples' business. I have some elements here from Lenin and others, who will explain how that form of democracy works! After saying yesterday, that we were going to debate this issue, and then saying that we would have to ask questions on the floor, in order to try and make a determination, and getting your information as such that you decide that you have to cut off debate, you will not tolerate it. You will not tolerate it! You will not tolerate it!

"You come up and you make this motion. Why? Because you've got the votes! Well, let me tell you, and let me put into the record, what the votes are when you have it. This is not new, of course! This has been done before, in society. The difference of course, is now, that this is going to be on the record. Let me read to you from Alexis de Tocqueville on the tyranny of the majority:

'I hold it to be an impious, and inexorable maxim, that politically speaking, a people has a right to do whatever it pleases. Yet, I have asserted that all authority originates in the will of the majority. Am I then in contradiction with myself? A majority taken collectively may be regarded as a being whose opinions, and most frequently, whose interests are opposed, to those of another being, which is styled "the minority."

'If it be admitted that a man possessing absolute power may misuse that power by wronging his adversaries, why should a majority not be liable to the same reproach? Men are not apt to change their characters by agglomeration. Nor does their patience in the presence of obstacles increase to with the consciousness of their strength. And, for these reasons, I can never willingly invest any number of my fellow creatures with that unlimited authority which I should refuse to any one of them.

'I am of the opinion that some one social power must always be made to predominate over others, but I think that liberty is endangered when this power is checked by no obstacles which may retard its course and force it to moderate its own vehemence. Unlimited power, in itself, is a bad and dangerous thing. Human beings are not competent to exercise it with

discretion and God alone can be omnipotent. Because His wisdom and His justice are equal to His power. But no power upon earth is so worthy of honor for itself or of reverential obedience to the rights of which it represents, that I would consent to admit its uncontrolled and unpredominate authority.

'When I see that the right and the means of absolute command are conferred upon a people or upon a king, upon an aristocracy, or a democracy, a monarchy, or a republic, I recognized the germ of tyranny. And, I journey onward to a land of more hopeful institutions. In my opinion, the main evil of the present democratic institutions of the United States, does not arise, as is often asserted in Europe, from their weakness, but from their overpowering strength, and I am not so much alarmed by the excessive liberty which reigns in that country as that the very inadequate securities which exist against tyranny.

'When an individual or party is wronged in the United States, to whom can he apply for redress? If to public opinion, public opinion constitutes the majority, and if to legislature, it represents the majority and implicitly obeys its functions, if to the executive power, it is appointed by the majority and it remains a passive tool in its hands. The public troops consist of the majority under arms. The jury is the majority invested with the right of hearing judicial cases, and in certain states, even the judges are elected by a majority. However iniquitous and absurd the evil of which you complain may be, you must submit to it as well as you can.

'I do not say tyrannical abuses frequently occur in America today, but I maintain that no sure barrier is established against them, and that the causes which mitigate the government are to be found in the circumstances and manners of the country, more than in its laws. In America the majority raises very formidable barriers to the liberty of opinion. Within these barriers, an author may write whatever he pleases, but he will repent it if he ever stepped beyond them. Not that he is exposed to the terrors of the auto-de-fe, but he is tormented by the slights and persecutions of daily obloquy. His political career is closed forever, because he has offended the only authority which is able to promote his success.

'Monarchical institutions have thrown

an odium on despotism. Let us beware lest the democratic republics should restore oppression and should render it less odious or less degrading in the eyes of the many, by making it more onerous to the few.'

"And in addition, Mr. President, from Walter Lippmann, on the idea of minorities should not be coerced:

'Although the question before the Senate (and this was taken from a newspaper column in 1949, the New York Herald Tribune, March 3rd) is whether to amend the rules, the issue is not one of parliamentary procedure, it is whether there shall be profound or far-reaching Constitutional change in the character of American government.

'The proposed amendment to Rule 22 would enable two-thirds of the Senate to close the debate and force any measure, motion or other matter to a vote. If the amendment is carried, the existing power of the minority of the states to stop legislation will have been abolished. Stripped of all the mumbo jumbo and flag waving, (said the New York Times,) the issue is whether the country's highest legislative body will permit important measures to be kept from a vote through the activities of a few leather-throated, iron-lunged members, who don't want democratic decision. I'm sure you would agree, this is an unduly scornful and superficial way to dispose of a great Constitutional problem, for the real issue is whether any majority, even a two-thirds majority shall now assume the power to override the opposition of a large majority of the states.

'In the American system of government, the right of democratic decision has never been identified with majority rule, as such. The genius of the American system, unique, I believe, among the democracies of the world, is that it limits all power, including the power of the majority. Absolute power, whether in a king, a president, a legislative majority, or a popular majority, is alien to the American ideal of democratic decision. The American idea of democratic decision has always been that important minorities must not be coerced. When there is strong opposition, it is neither wise nor practical to force a decision. It is necessary, and it is better to postpone the decision, to respect the opposition and then to accept the burden of trying to persuade it, for a decision which has to be enforced against a determined opposition of large communities and

regions of the country will, as Americans have long realized, almost never produce the results it is supposed to produce.

'The opposition, in resistance to being overridden, will not disappear. They will merely find some other way of avoiding, evading, obstructing and nullifying the decision, for that decision is a cardinal principle of the American democracy that great decisions on issues that men regard as vital, shall not be taken by the vote of the majority until the consent of the minority has been obtained. When the consent of the minority has been lacking, as for example in the case of the Prohibition amendment, the democratic decision has produced hypocrisy and lawlessness.

'This is the issue in the Senate. It is not whether there shall not be an unlimited debate, the right of unlimited debates is merely a device, a rather awkward and tiresome device to prevent large and determined communities from being coerced. The issue is whether the fundamental principle of American democratic decisions, that strong minorities must be persuaded and not coerced, shall be altered radically, not by Constitutional amendment, but by subtle change in the Rules of the Senate. The issue has been raised and connection with Civil Rights legislation. The question is whether the vindication of these civil rights requires the sacrifice of American limitation on majority rule. The question is a painful one, but I believe that the answer has to be, that in the end, the rights of the Negroes will be more secure, even if they are vindicated more slowly, if the cardinal principle that minorities shall not be coerced by majorities is conserved, for if that principle is abandoned, then the great limitations of absolutism and tyranny of transient majorities will be gone, and the path will be much more open than it now is to the demagogic dictator, who having aroused the mob, destroys the liberties of the people.'

'Mr. President, I can assure you, that if I was to read on liberty, if I was to read 'Society and the Individual,' from Mill, to go over the history of the evolution of thought which has led to the persuasion of the people of the United States, that institutes democratic government, I could not find two more pertinent historical bases upon which to defend my view.

"You have that 'tyranny of the

majority;' your transient majority, at this moment. And, if it is your desire merely to leave here, I don't dispute that it is good for you to do so as quickly as possible. Because, when the people of this state discover what it is they have, in this budget, they too, will find that it was reasonable for you to get out of here as quickly as possible, so that you did not have to answer anything for it. However, you will find, and others will find, who exercise the 'tyranny of the majority,' the transient majority, that they will have to answer for their actions, and I have great trust and faith that that's exactly what will happen.

"After all, I came into office almost ten years ago, on a platform, which I'm very happy to say today, that I can still stand firmly upon -- that I was against 'pork barrel' legislation; that I was against the undermining of the education system through it; that I was against the ramming through of individual decisions made by any individual legislator, based on the exegeses of the moment; I stand on that same platform today. It seems to me that when I came into the legislature, and was encouraged to run for the legislature, by people such as yourself; who supposedly espoused the same kind of views, it seemed to me at the time, that they were more than allies, they were friends, who understood those propositions, who had fidelity to those propositions. I don't see that today. It'll be up to the people to decide who it is that is best able to exemplify those foundations, those principles and those values that I have enumerated in these two brief essays.

"So, Mr. President, I say to you, take your budget, pass it, take it before the people, and when the Governor cuts the budget, because there's no financial plan, because in the plan that does exist, there's no relationship to the revenues that are coming in. When it becomes apparent that this Legislature has completely abandoned anything in the way of a check and balance as is required in our system to make it work; when it becomes clear that the Legislature has reverted full circle, back to the days when it merely put numbers on papers and let the executive do as it will, and in fact, mandated the executive to do it, that the people will then see that what took place tonight was a Pyrrhic victory indeed, and they will call everyone that is associated with it into account. Then we will see.

"As you have indicated in the past, you are perfectly willing to do that. That's fine. That's the way it's going to work. There's no question in my mind that when the people of this state find out, when they have to suffer, what is going to occur when this budget fails, that they will indeed remember, what was said here and what was done here. And, Mr. President, we will both be held to account. And I know, for my part, that I will not be found wanting and that the record of it will be here, as will yours. The people will judge."

At this time, Senator Toguchi rose and stated:

"Mr. President, I rise on a point of personal privilege.

"You know, Mr. President, what I do today, is not easy for me. Today is supposed to be the last day. Having spent some time in the House, I know the feeling of accomplishment after a hard and rigorous session. There have been a lot of rough roads to travel, and we may have had to resolve many difficult problems, but if it improves the quality of life for Hawaii's people; if it improves Hawaii's schools; if we are able to improve Hawaii's economic development possibilities; then we have fulfilled the mandate that we were elected to do. But sadly, I believe that my first session in the Senate, leaves me empty. I do not speak with a sense of accomplishment or purpose. I do not honestly believe that we can go home and tell the people that we have done a good job.

"I don't feel that the work that was done this year, meets the standards that have been set in past sessions, and I think, that although some of you don't admit it, many of you share my feelings. You know, tonight we will have before us, a State Budget (which, just by your past action, which will limit debate,) that is symbolic of everything that is wrong in the Senate. No other bill has raised this kind of bill among members as this bill has, and throughout its legislative history, it has been clouded with secrecy. In the Senate, the State Budget has forged a conspiracy of silence to prevent members from knowing what the budget contains. This conspiracy has given new meaning to the term 'silent majority,' and the refusal to give such information has seriously undermined each legislator's authority to make enlightened decisions that are in the best interests of his or her constituents, and the general welfare of the

people of Hawaii.

"For the later passage of this budget, the 'silent majority' has resorted to being less than candid about the contents of this budget. It would have members vote on summaries with only the vaguest hint of what these numbers contain. If we are required to have faith in the committee report, it is merely perfunctory. No effort has gone into the preparation of this report. It is a far cry from the standards of past reports. For the new members of this body, I would point out that any odd numbered year Journals of the House and Senate, if you read any of the committee reports on the budget from those years, you would find a wealth of detail that would make you more inclined to support a budget for this state. The lack of openness, the inability to provide the most basic information, and the willingness to sacrifice basic beliefs for the sake of maintaining a majority, has had a tremendous effect on our institution and what it means to the future of budget formulation in the legislature and especially in the Senate.

"It is ironic that these issues are now before us again. For you know, Mr. President, these were, as some people pointed out earlier, the same issues that were before the House ten years ago, when you were in the House. At that time, you wore the same label that is given to some of the more independent members of this body. As others have said, you were also called a 'dissident.' You know, the issues are very similar, Mr. President, it's similar to the days when you were a 'dissident.' Prior concurrence, (you know a lot about prior concurrence,) a programmed approach to the budget, which I think we didn't have, and a further delineation of responsibility between subject matter committees and money committees. I read with interest your comments on the budget before the House, (and it may have been said earlier,) I quote your remarks from that Journal (and this is on one of the topics that will be coming out later, on the budget, on which you have limited debate,):

"This bill is a "pork barrel" approach to operating expenditures. We all know what "pork barrel" is in the area of capital improvement expenditures. "Pork barrel" has been criticized, ridiculed and misused. Nevertheless, it remains a weapon in the hands of those who control legislative power, to dispense public works projects in the districts

of the favored and powerful, and to withhold such projects from those districts represented by the less favored and powerless. And now, the irrational and unfair "pork barrel" approach was spread into the realm of operating expenditures as well.'

"Mr. President, you go on further:

'We cannot, in good conscience, pass this bill, and make it possible, its enactment into law. It does not take a systematic approach to the expenditure of operating funds. It reflects no rational plan for attacking the problems of this state. It has misplaced priorities. We need priorities in terms of human needs, not human egos, and powerful interests. This bill is the height of a display of vested interests. It is nothing but a "pork barrel" approach to operating expenditures.'

"Those were your words, Mr. President. Ironically, the budget that you plan to pass tonight, the budget that you are limiting debate to, this 'pork barrel' budgeting is in tonight's budget. If we are honest about the approach of this budget, it was not always done with the idea of merit evaluation. Rather, we have gone through a system of accommodation among the 'silent majority.' Their support has become more important than being fair to those affected by our budget decisions.

"Mr. President, what has led us down this path? How did we become so misdirected in our responsibility? How is it that we have neglected our fundamental responsibility when it came to the most important work that we would accomplish all year -- the State Budget? To understand what is involved, and I think we owe the public an explanation about how we have come to these set of circumstances surrounding the budget, let us review the history of this budget, its politics, the issues it has raised in the Senate, and the approach that was adopted in its formulation. It is important that, as we consider this budget, that we provide a context for the events of the past few days, relating to the inability to have access to worksheets. To do this, we must review the events as they happened in the 1983 Legislative Session, and how they relate to the bill that is before us."

Senator Toguchi then proceeded to speak in opposition to House Bill No. 1, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

THE STATE BUDGET," until 10:00 o'clock p.m.

At this time, the President interjected:

"Senator Toguchi, your time is up. Mr. Clerk, please call the Roll."

Senator Toguchi replied:

"Mr. President, I'm speaking on a point of personal privilege."

Senator Cobb then rose and stated:

"Mr. President, a point of order please. In accordance with the Special Order adopted by the Senate to fix the time of debate, it is now 10:00 o'clock p.m. and it is now time to vote."

Senator Toguchi asserted:

"Mr. President, I am speaking on a point of personal privilege!"

Senator Cobb then replied:

"It does not matter. The discussion or period of debate allowed on the floor of the Senate was set by the Senate Special Order at 10:00 p.m."

Senator Abercrombie then rose and stated:

"Point of order, Mr. President, the Majority Floor Leader is not correct in his assessment, despite the vehemence of it. As a matter of fact, the whole thing can be decided all over again, according to Cushing's Rules, Mr. President."

The President instructed the Clerk to call the Roll and Senator Toguchi then maintained:

"Mr. President, I have the floor!"

Senator Toguchi then began to continue his remarks on the budget and the President then interjected:

"Will the Sergeant-at-Arms please remove Senator Toguchi."

Senator Abercrombie then queried:

"What's the vote on, Mr. President?"

The President replied:

"We are voting on the budget. Mr. Sergeant-at-Arms, would you please remove Senator Toguchi."

Senator Abercrombie then remarked:

"You would be awfully good in El Salvador. No, remove me too. It would be an honor."

Senator Cayetano then rose and stated:

"Remove me too, Dickie! What are you going to do next year for an encore? What are you going to do? Come on?"

The President replied:

"The debate is over."

Senator Cayetano replied:

"Yes, we realize that. I thought you were going to let us talk?"

The President then stated:

"I told Senator Toguchi, I gave him fair warning of the time limit. He has been given full opportunity to continue his debate; for four hours now it has continued. We have not interrupted him during any portion of the debate. I had already spoken to the members of the dissident group that there would be no way that there would be a filibuster here in the Senate. All that has occurred this evening has given the appearance of a filibuster."

Senator Toguchi then replied:

"Mr. President, the rules also state that each member would be allowed two times to speak."

The President then maintained:

"I will not allow six individuals to dictate whether or not the Senate will adjourn this evening on time."

Senator Abercrombie then asserted:

"But you'll allow yourself to dictate to us, when you make up your secret budget and your secret agendas and you come in with all this cockamamie routine about taking over and all the rest of it! So, don't go preaching to me, about that stuff, Dickie! You want to remove us, you remove us! You got the guts, go ahead and do it!"

The President replied:

"A Roll Call has been requested...."

Senator Cayetano interjected:

"Dickie, I thought you were going to let us talk before the vote was

taken?"

The President replied:

"Evidently, Senator Cayetano,...."

Senator Cayetano continued:

"There is no filibuster, just a few remarks."

The President then stated:

"I have no problems with the few remarks, Senator Cayetano. It's a fact that Senator Toguchi refused to adhere to the guidelines set by the Chair. I was more than willing to allow you the privilege of saying a few words before you people departed from the floor. Now, if Senator Toguchi is willing to do that,...."

Senator Cayetano replied:

"He's willing, he's willing Mr. President."

Senator Cobb then rose and stated:

"Point of order, Mr. President."

Senator Cayetano then remarked:

"Sit down, Cobb."

Senator Cobb responded:

"No way. The Senate adopted by two-thirds vote, a motion to set the time of voting at 10:00 p.m."

Senator Abercrombie then interjected:

"Thank you, Frank Burns."

Senator Cayetano then stated:

"He is willing, Mr. President."

The President then replied:

"If he will yield the floor, and with that understanding, Senator Cayetano, we will allow the members of the dissident group to speak, but we will come back and take up the matter of the budget."

Senator Cayetano replied:

"Yes, I think that is the understanding that I had."

The President queried:

"Is that agreed to? A few moments for each of you to say what you have to say? Is that an understanding?"

Senator Cayetano replied:

"That is my understanding. I can't however, speak for the rest of them. I never could you know."

The President replied:

"Fine."

At this time, Senator Kawasaki rose and queried:

"Mr. President, could we have a brief recess at this time?"

Senator Cayetano asserted:

"No. I don't want a recess. I just want to get out of here!"

The President replied:

"Okay. Will you all be seated. Mr. Sergeant-at-Arms, will you return to your position."

Senator Cayetano then rose and stated:

"Mr. President, thank you.

"Mr. President. I would have been out of here when Senator Carpenter spoke, because I share his feelings. But out of respect for my colleague, Senator Toguchi, for whom I have the highest respect for, I stayed.

"Mr. President, I'm a bit disappointed. I won a bet actually. You know, we can read the rules too. And, Senator Kawasaki and I were discussing whether or not you would in fact, do this. And he said, 'no' because he felt that with your history as a dissident ten years ago that you would have some feeling for the right of free and full discussion. Well, Duke, you lost that bet.

"Mr. President, I also am a bit disappointed with the Minority. I'm very disappointed, especially with two of them, one of whom always tells me that he loves me like a brother. The Minority thinks this budget 'stinks.' They tell me that this budget is defective. But instead of fighting it out and seeing whether we can get the defects corrected, they want to do the worst thing that they can to themselves as a Minority and dilute the only power of the Minority really, the right to the floor, in order to get out of here. Perhaps that's how ashamed they are of the work product that we have coming out of this session.

"Personally, I want to know, Mr.

President, today you limited debate. What are you going to do next year for an encore? When we speak on opening day on the rules, are you going to pass a special resolution to cut us off? When we speak each day on each bill, when we ask questions of these freshmen chairmen that you were so concerned about, that you told us could not handle the job, next year, then, are you going to change the rules so that we become like the House of Representatives where we have only ten minutes to talk? Have you come about in a full circle that you have totally disregarded whatever you believed in ten years ago? That's the last time that I'm going to say that because frankly, I will no longer flatter you by comparing you with the old Dickie Wong.

"What are you going to do for an encore next year, Mr. President? What are you going to do? If you think that what happened here in the last two weeks is bad, what do you think it's going to be like next year? Sometimes it is necessary to tear down the house to save the institution. Maybe that's going to happen next year. And frankly, I can tell you this. Five of the six dissidents have four-year terms. Many of you will be up for re-election next year, and you will have to answer to the people. I hope your product is better than it is this year, because we'll be there to ask the questions."

Senator Kawasaki then rose and stated:

"Mr. President, speaking on a point of personal privilege, which will in no way violate the rule made earlier that you would limit debate on the motion to adopt the budget at 10:00 o'clock. I'm speaking on a point of personal privilege.

"I'd like to point out my concern, Mr. President, that I failed in trying to get some results, following your suggestion that we speak to the chairman of the Ways and Means Committee to get some information that we deemed vital in our ability to vote intelligently on this budget bill. Earlier in the evening, I asked the chairman of the Ways and Means Committee whether I could get, I suppose, what is called the worksheet.

"In my case, that happens to be that data that I know is in the possession of the Ways and Means Committee, (on which I worked pretty hard, incidentally, as a member of the Ways and Means Committee)

specifically, on that portion of the budget pertaining to grants-in-aid. I asked them, in order for me to determine whether what was ultimately agreed to in the conference committee on the grants-in-aid allocations to the private agencies asking for funds from the state, whether these figures are something that I could support; and I asked this question primarily, because of what I read in the media that grants-in-aids followed a formula, (a formula that in my judgment is not a very good one,) it said that we are going on current services. Now, we spent last year, some seven and a half million dollars on these grants-in-aid, and current services in my judgment means going along as we did last year. This gives me the impression that we did not examine too closely, the grants-in-aid, which ones are justified in being re-funded; which ones should be increased, and perhaps, which ones should be completely eliminated; because it does not justify spending taxpayers' money for these programs.

"The chairman of Ways and Means, according to my interpretation, agreed that I would get those figures. I waited over the hours and I did not get these figures. On that basis, I am not able to determine, in my judgment, whether or not the grants-in-aid portion, at least, of the budget is something that I can vote on. I'd like to pose a question to the chairman of the Ways and Means Committee, if I can at this point, what are these people here doing? Apparently, these are the staff people of the Ways and Means Committee, and I'd like to ask...."

Senator Cobb then interjected:

"Point of order, Mr. President. A point of information is not relevant when speaking on a point of personal privilege."

The President replied:

"That is correct, Senator Cobb. Senator Kawasaki, would you...."

Senator Kawasaki then interrupted stating:

"A point of personal privilege could include my trying to get information in order that I can make some judgments here."

The President replied:

"I think the point of personal privilege is to express some concern or some aggrieved position, if you

have any."

Senator Kawasaki then replied:

"Fine, then I won't ask. I just assumed that these people are here tonight, at this late hour, to give us information. I wish I had this information earlier, perhaps, a few days ago, which was not available to me. Be that as it may, I feel that as I do not have this information, then I can in no way support the bill and vote for the bill. I regret this, but this is a fact."

Senator Young then rose and stated:

"Mr. President, may I make a few comments also.

"Mr. President, the budget bill before us, for final vote tonight, is the product of long and intense negotiations with the House. There was a lot of hard bargaining. But, also, there was a lot of give and take! I would like to take this opportunity to commend the freshmen members of the Ways and Means Committee. They worked hard. They did their homework. They contributed positively and constructively to the preparation of the budget. They did their job. By their performance, they dispelled the notions that some may have had that the freshmen Senators lacked sufficient experience and knowledge to do a capable job. Mr. President, they did a good job! They are to be congratulated, and I'm very pleased with their performance. Thank you."

Senator Fernandes Salling then rose and stated:

"Mr. President, I'd like to congratulate the Majority for a well executed parliamentary move this evening. But, if I were sitting in your shoes tonight, I wouldn't feel so proud about the kinds of actions and this motion that you have supported which limits debate on a very critical issue before us, the Budget of the State of Hawaii.

"I think we should all remember, however, as my good friend Duke Kawasaki has always said and reminded us that, there's always another day. I don't condone this kind of action to limit debate, and because of that I will be leaving the floor along with my other five colleagues. My understanding, Mr. President, from what you have said from the podium, was that we would be discussing this budget, however, you alluded to

remarks made by one of us on TV, that there would be a filibuster. I'd like to remind you, Mr. President, that a lot of things are said sometimes, and then people change their minds later, and I've seen this happen many times in the last two weeks of this Legislature. That fact that you may have inferred that a filibuster would occur from remarks such as those, does not necessarily mean that that was what could happen. I came here, to this night session, with the intent to fully question the Ways and Means Committee chairman and staff, if necessary, to determine what details I needed, in order to formalize my vote on the budget. Now, I was denied that because of this motion to limit debate.

"I find myself in a quandry, because of this budget. I have been able to identify, without Ways and Means, some of the appropriations for the Island of Kauai, which at this point, I would like to register my vote as 'aye' to those items as stated in the budget. I would also, like to, before leaving this floor, register my vote as 'aye' to those standing committee reports that refer to relief from Hurricane Iwa on the Island of Kauai. Those being specifically, H.B. 1190, H.B. 670, and H.B. 702, which relates to the Office of Hawaiian Affairs."

The President then interjected:

"Excuse me, Senator Fernandes Salling, but...."

Senator Fernandes Salling then replied:

"I have nothing further to add except for the fact that I'm very disappointed in what happened here this evening and I will be leaving the floor with the rest of my colleagues."

The President then stated:

"The Chair would like to caution you, that should you wish to vote on those measures, you will have to be present on the floor."

Senator Fernandes Salling replied:

"Mr. President, I would just like the record to reflect that if I were present on the floor, that is how I would be voting on those measures."

The President then expressed his concerns stating:

"But you have that choice to remain."

Senator Fernandes Salling replied:

"I understand fully. But, because of the action that was taken tonight by the Majority, I have made the decision to leave the floor. Thank you."

Senator Uwaine then rose and stated:

"Mr. President, I urge Senator Fernandes Salling not to leave; because if she leaves, the Island of Kauai, an island with only one Senator would be before this body without representation."

Senator Abercrombie then stated:

"Point of order, Mr. President. I suggest the previous speaker take that up with his lawyer before he lectures anybody else."

Senators Abercrombie, Cayetano, Fernandes Salling and Toguchi then proceeded to leave the chambers.

Senator Kawasaki rose and stated:

"Mr. President, I would...."

The President interjected:

"Senator Kawasaki, I'm sad to see that the group is leaving the floor and I can understand some of their frustrations on what has taken place this evening. I wish that they would extend to me the courtesy of explaining some of the things that have been occurring here in the Senate, Senator Kawasaki.

"I would like to say very simply, people, for you sitting in the audience, whether you're pro or con, we have the business of the state at hand. And, I want to put things into proper perspective because I think that's very important and I wish they had stayed.

"All of this discussion that you've heard about the budget this evening is nothing but political rhetoric. The truth of the matter is that several weeks ago, there was an attempt to take over and change the Senate. And that should not be forgotten. That there was an attempt to remove Senator Yamasaki as chairman of Ways and Means, and when that failed, to remove all freshmen members who were members of the committee. At that time, I indicated to the general public as well as to the individuals involved, that as long as I am President, and that may be a short time, that I will not tolerate that kind of

action.

"When the stripping of the chairmanships took place, I offered every single one of the six dissidents, chairmanships on various alternative committees. They refused to accept that responsibility. Secondly, I offered them the chance to be conferees on various bills for discussion with the House, and they refused. Finally, they felt that they should not participate in the final product. What I do not like to see is the hypocrisy in the discussions you've heard this evening, relative to the final product, when all of them refused to participate in the making of that final product. I'm not saying that they would have been totally successful in achieving their goals and objectives, but I am very certain that at least some of the things that they sought would have been included.

"I want to say this very sincerely because in the past few days, if people have felt aggrieved, then so have I. They have followed the way of going to the courts for settling an issue here in the Senate, and I don't think that's proper. But, nevertheless, they did that, and that's their privilege. I will defend their right to try to seek judicial adjudication of any grievance that they might have. I want to make it clear that there was every attempt to try and bring them back in to the discussion and the business of the Senate, and as a matter of record, they refused that responsibility.

"So, I am sorry and aggrieved also, that they chose the route of leaving the Senate floor instead of voting up or down on the budget."

Senator Kawasaki then stated:

"Mr. President, the time right now, is 10:20 by the clock, and I believe that you have ample time to have discussion and voting procedures on both the budget bill and other bills, depending the budget bill passing. First of all, Mr. President, I think a correction is in order. You stated that all six people refused to hang on to their committees. I did not do that because I considered it important to the state government for me to retain my committee."

The President replied:

"I stand corrected, you were the only one."

Senator Kawasaki then continued:

"Mr. President, I also suggested earlier, in a note to you, that perhaps cutting of the debate, which is, in my seventeen years of being in this body, unprecedented. It just seemed to me an awfully drastic step to take, and that is a step that would create such a breach, that trying to get these people together, (and as you admitted, perhaps, a most talented group of people, among the other five people that you need badly; more importantly, the State of Hawaii needs badly,) every one of those people who are Senators duly elected by their constituents, are talented people. They work hard. They do their homework. It's important that they remain unified in this body of which I am so proud to have served for the last seventeen years.

"I suggested to you that cutting off the debate, which is unprecedented, as I have said, was too drastic a step that would create such a breach that it would be very difficult that even if I tried my best, as a catalyst of sorts, between the two groups to bring them together. I suggested therefore, that perhaps you allow debate to take place, and if the time runs over past midnight, it is not a big deal to have the session extended one day so that some of these questions that we have regarding the budget could be addressed, and then they have their day in court, make their criticisms, as I would, and then extend the session one day, and then close the session. I think that this is perhaps the wiser of the two courses of action.

"I suggested this to you. You may have your reasons for not doing this, and I regret that, but I do want to put on the record that this is a suggestion that I made to you, in good faith and so far as my remaining here to vote, I would have voted 'no' anyway, because I find this budget rather defective, particularly because the information I was led to believe that I was going to get, hasn't come to me, as it was agreed to by the chairman of the Ways and Means Committee.

"As a consequence, I cannot vote intelligently on this bill. For that reason, I will leave this body too."

Senator Soares then rose and stated:

"Mr. President, I rise on a point of personal privilege.

"I think it's in order that I should

make a few comments, Mr. President, in view of the fact that the Republican Minority has been mentioned on the floor of this Senate, and also in view of the fact that we had prepared a number of statements against the budget. We feel very strongly that there are substantial errors in the budget requiring us to vote against it.

"But, Mr. President, I should like to remind this body, that two weeks ago, I stood in this very same spot and tried my level best to bring together the twenty Democrats by asking you and them to recess and do whatever was necessary to bring us all together. How ironic that I stand here on the last night of the session, as five Republicans are asked to take a position against open debate! The five Republicans against twenty Democrats! The worthy opposition must make that move tonight, and I will tell all of you, it was not easy for us to sit in our caucus room and decide whether we would vote with the President and the Majority, or whether we would sit by and later on in the evening make a decision to sustain a previously questioned motion, which is just as bad.

"We were convinced, in our discussions, that five hours was ample time to discuss the pros and cons of the budget, because we too, had points that we would have liked to question, Mr. President. I feel a little concerned, as my colleagues do, about six of our very close friends with whom we've worked in coalition as I said before and really learned to like...I am the one that told Senator Cayetano that I love him like a brother and I damn well do!...but I respect all of you Senators, I have the highest regard for your ability and your integrity. We all cherish the friendships and the relationships that we have with each other, and it's harder than heck to have to feel that someone now does not appreciate or like another Senator because the five Republicans had to make a decision!

"But, let me tell you all this, the five of us have been around a long time. We've had to make tough decisions before, but I think all of you will have a lot tougher ones to make between now and next January. Mr. President, we have taken a very responsible position throughout this session. We've done our homework; we've worked very hard to represent our constituency; we've asked you to remember that we represent the people in the streets, and what we do

here reflects on them! I can tell you this, the same thing I said two weeks ago is going to be said tomorrow, 'What did you guys do last night? What in the heck went on in that Capitol building last night? How come you folks let this thing go on and on?' We're convinced to do so, would be another day, another big bunch of statements, and a move for previous question on either Monday, Tuesday or Wednesday.

"So, my colleagues in the Senate, let's all stand tall this evening if we possibly can and vote the measures on their merits. I'm very, very saddened, and I'm sure you are as well, to see our friends leave the floor. They've worked hard themselves, and they're hurt. I want to remind you before I close, that today was a very odd opening for us, our beloved Sister Maureen quoted the prayer of St. Francis of Assisi, the prettiest prayer anyone could learn, and two phrases in there are: 'To pardon, rather than we pardon ourselves, we pardon others.' and, 'To love, is much more important than to be loved.'

"I would suggest, we do our best to respect our six colleagues' position; respect that the Republican Minority is part of the ball game we play together; and let's address the business one ball at a time."

Senator Kuroda then rose and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I think it is only proper that all who are here realize that it is not just the President who makes the decision. You are there as President because you happen to have thirteen Senators who agree with your thinking and your decision. If you did not have these thirteen to support your decision, you cannot conduct business and you cannot carry on whatever programs you have in mind. So, I think it is only proper that it is publicly noted that it is not just a single person in this Senate, the President, who makes the decision. That President cannot make a decision unless there are others who think like he does.

"It is unfortunate that six other Democratic Senators could not agree with our program and I believe, Mr. President, that since we do have some time, there should be a little discussion on the budget because there are some good things about this

budget, and if there are criticisms about this budget, let them be aired. The other thing is, as my colleague from Leeward Oahu mentioned, the work of the Senators serving on the Ways and Means Committee should be given much attention and credit because all their efforts should not go for naught. Thank you."

Senator Uwaine then rose and stated:

"Mr. President, I rise on a point of personal privilege.

"I think it is very important today, as we did approximately two weeks ago, Mr. President, that we put things into proper perspective. I think you did a very good job in your remarks, however, I would like to carry it a bit further, and if I could beg the indulgence of my colleagues, maybe I could repeat a few of those points previously mentioned.

"As is well known in this body, two weeks ago, there was an attempt to remove Senator Yamasaki as the chairman of the Ways and Means Committee. When that failed, as you mentioned, then the move went on to the freshmen members of the committee. At that point, many of the arguments regarding the removal of Senator Yamasaki and the freshmen were based on lack of experience, no direction, a weak Ways and Means Committee, unsure of where they were going. It was explained to them by you, Mr. President, as well as by some other members of this body, that the sword goes two ways. What you may attempt to do may come back to you.

"Apparently, for these individuals, at least for five of them, it did. They lost their committee chairmanships, and apparently, the very people that they criticized of lack of experience and lack of knowledge, became the chairmen of these major committees. Senator Aki, Economic Development; Senator Chang, Judiciary; Senator Hagino, Agriculture; Senator Solomon, Education; and so on. The thing that happened, Mr. President, that I think surprised the majority of the Senators who walked off this floor, was that these new Senators did an outstanding job. They chaired two committees and they served on the Ways and Means Committee. I think that when you examine the record, the record will prove that all the accomplishments that were set forth by the previous chairmen were carried out into con-

ference, and, as we all know, nothing fell between the cracks. They did an outstanding job, both as chairmen of a major committee as well as a smaller committee.

"In addition, Mr. President, these energetic Senators stood up around the clock from Thursday till Wednesday, with about two hours of sleep in between, running between both committees and trying to resolve the conferences as well as supporting Senator Yamasaki. The thing about it is that we have a good budget today. We have an outstanding budget. It was largely attributed to the fact that Senator Yamasaki provided the leadership and he had the support of the freshmen Senators as well as a few experienced Senators on this floor today, and he had a superb staff behind him.

"The point is, Mr. President, we finished the people's business on Wednesday, and we are here today on Friday, ready to vote. But the only thing that remains, and I think it is an embarrassment, is that the very people whom those Senators who walked off the floor criticized couldn't get the job done, did get the job done. The only thing that remains toward finishing the job is the vote tonight on the budget. That is what we plan to do tonight, and I thank Senator Yamasaki and the members on this floor, for staying here and supporting him on this budget. Thank you."

Senator Yamasaki then rose and stated:

"Mr. President, I'd like to speak in favor of this bill."

Senator Soares then rose and queried:

"Mr. President, are you going to allow the chairman to speak for the bill?"

The President replied:

"Senator Soares, I believe he has to insert his comments."

Senator Cobb then stated:

"It could only be for a Journal insertion, Mr. President, otherwise it would be out of order."

Senator Soares then asserted:

"That's exactly right, I think it's only fair to make sure that we follow the rules we've been insisting on,

and I think it's important because we have some comments to insert in the Journal against the budget."

The President then stated:

"Senator Yamasaki, it is not debatable but you would have to insert a statement into the Journal relative to the budget."

Senator Yamasaki then replied:

"If that is the case, then, Mr. President, I would like to have permission to insert into the record these statements that I have prepared in favor of the bill. However, at this time, I would like, in addition to that, to state that in accordance with the provisions of Chapter 37.112 (b), HRS, and on behalf of the Legislature, I now make public the fact that the revenue estimates used differs from that of the Council on Revenues.

"The reason is that the Council on Revenues did not use the Liquor Tax revenues which are in escrow, and we have learned that a portion of the taxes due are now available and can be used because two of the three attorneys representing the liquor dealers have decided not to appeal their cases to the U.S. Supreme Court. Thank you."

Senator Yamasaki then requested that the following statement be inserted into the record and the President, noting that there was no objection, so ordered.

"Mr. President, I rise to speak in favor of H.B. No. 1, H.D. 1, S.D. 1, C.D. 1, relating to the State Budget.

"In doing so, I wish to express my thanks to the conferees of the Ways and Means Committee for their tireless efforts in developing this bill during the week-long conference negotiations. I especially want to thank the members of my Ways and Means staff for their dedicated work and their effort put into this bill.

"In developing this bill and others which affect state finances, your committee encountered the difficult task of attempting to meet a multitude of competing demands with an uncertain and somber revenue picture. The 4% growth in General Fund tax revenues, which was the experience in the first nine months of the current fiscal year, lags significantly behind the 8.2% increase which had originally been projected, and the estimates of the Council on Revenues,

the latest of which was reported on March 15, 1983. This provides little reason for optimism over the immediate short term.

"I would like to just highlight some of the budgetary decisions made by your conference committee.

"In the program area of Economic Development, your committee has provided \$2.8 million in Fiscal Year 1983-84 and \$3.3 million in Fiscal Year 1984-85 for a contract with the Hawaii Visitors Bureau to encourage the continued growth of our major industry, tourism. An additional one half million dollars for each of the next two years is provided for the promotion of tourists from Asia, particularly Japan, which represents a key segment of Hawaii's tourist market. To increase our children's awareness of the positive aspects of tourism, \$20,000 has been provided to produce a film on the educational benefits of tourism offered by the Visitor Industry Education Council.

"In its continued support of another major industry, pineapple, your committee has provided \$200,000 for the promotion of fresh pineapple in Fiscal Year 1983-84. Your committee believes that this product promotion will result in increasing consumer demand and improve the stability of the major agricultural industry in Hawaii.

"In the program area of Health, the Tax Equity and Fiscal Responsibility Act (TEFRA) of 1982 was signed into law by President Reagan. One feature of this act reduced Medicaid/Medicare reimbursements to hospitals in an effort to contain medical care costs.

"The impact of TEFRA on the county/state hospital system was projected to result in a revenue shortfall of approximately \$6 million for each year of the 1983-85 biennium.

"Shortly before your committee reviewed budgetary differences, it was learned that this aspect of TEFRA would probably be deferred for one year. In light of TEFRA, the committee feels the granting of additional positions for the county/state hospital system in a time of fiscal uncertainty is not in the best interest of the State of Hawaii; therefore, your committee has embraced the policy that no new positions be allocated to the hospitals except those identified as revenue producing, and where workload clearly justified the

granting of position requests.

'With the elimination of new positions accounting for the major portion of the reduction, your committee has reduced the county/state hospital's budget by approximately \$2 million in each year of the biennium.

'It is the committee's hope that the one year delay before TEFRA is implemented will provide the hospitals sufficient time to effect the cost containment measures needed to respond to TEFRA without reducing the quality of patient care.

'This session, more than ever before, the Legislative committees have been deluged with requests for funding by private organizations. This year's request from various organizations seeking grants-in-aid totaled \$12.4 million, an increase of 64% over the last year's appropriations for this purpose. The causes of this situation include: The cut-back in Federal funds; the lack of budgetary constraints resulting in departments recommending higher levels of funding for private organizations than could be accommodated in the executive budget; and the generally haphazard implementation of Chapter 42, the statute on grants, subsidies, and purchases of service. These factors, in addition to severely limited resources, have resulted in Legislative committees having to make exceedingly difficult decisions regarding the funding of programs. In light of these concerns, your committee has provided grants-in-aid totaling \$8.9 million to various private organizations as listed in the budget bill.

'Although your committee believes that disadvantaged individuals must be provided essential medical services, it remains concerned about the reduction in Medicaid funds due to Federal funding assistance. Therefore, your committee has provided additional funds totalling \$9,082,650, but it will require that payments to non-institutional medical care practitioners be reduced by ten percent.

'To explore alternatives to the high cost of institutionalization, your committee has provided \$386,000 for a nursing home without walls demonstration project to provide extended home care services.

'In the program area of Lower Education, focus has been on two major educational programs. The first program, the Hawaiian Studies program expansion was funded almost

\$525,000 in Fiscal Year 1983-84 and \$553,000 in 1984-85 to assist students in understanding Hawaii's cultural heritage, as noted in the Education Plan and also in keeping with the mandate of Article X, Section 4 of the Hawaii State Constitution, which requires this type of program in our public schools.

'The second major educational program emphasized in this budget is a computer training program in our public schools. Your committee recognizes the rise of high technology and its impact on daily living for all our people and has therefore provided over \$838,000 in Fiscal Year 1983-84 and \$538,000 in Fiscal Year 1984-85 for the immediate needs of our graduating high school seniors in a program called Computer Awareness Interim Program.

'In other equally important educational programs, funding has been provided for such programs as: \$139,000 in Fiscal Year 1983-84 and \$239,000 in Fiscal Year 1984-85 for Summer School for the Handicapped; over \$100,000 in Fiscal Year 1983-84 and \$216,000 in Fiscal Year 1984-85 for students of limited English proficiency and; one million dollars in both Fiscal Years of the biennium for badly needed repairs and maintenance of public schools.

'In the Higher Education program area, particular emphasis has been placed on such areas as: library automation where, \$520,000 in Fiscal Year 1983-84 and \$75,000 in Fiscal Year 1984-85 has been appropriated, and a computer consortium where \$242,000 in Fiscal Year 1984-85 has been provided for a system-wide computer system to improve the University's electronic computing and data processing capabilities in academic, administrative and student services.

'In the area of capital improvements, your committee has provided design and construction funds for such major projects as:

*The new prison facility in Halawa, \$52 million;

*Renovation and modification of the Hawaii State Hospital, \$1.3 million;

*Auto mechanic shops at Honolulu Community College, \$4.9 million;

*New facilities at Kapiolani Community College, \$8.1 million;

*George Hall - TIM Program, \$4.1

million;

*New UH Stadium Complex, \$2.7 million;

*Alternative energy demonstration projects, \$3 million; and

*Lihue Airport Complex, \$26 million.

'In closing, Mr. President, this budget could not have been accomplished without the spirit of cooperation between the House and Senate. For that, I would like to especially thank Representative Kiyabu, chairman of the House Finance Committee, his conferees and his staff.'

At this time, Senator Cobb then rose and stated:

"Mr. President, I rise on a point of personal privilege.

"Very briefly, Mr. President, in speaking in light of the discussion tonight, if anything, tonight's discussion is a clear example of the strange twist of history. In the 1940's and in the 1950's, and certainly the decade of the 1960's, it was the great liberals of the United States Senate that fought long and hard to change the cloture rule to limit debate in the Senate for Civil Rights legislation.

"It took over twenty years to achieve a change in the cloture rule limiting debate from a two-thirds vote to a three-fifths vote. It was precisely those Senators who are considered 'liberals' who fought hardest for that rule. And then a decade later, Mr. President, history ran full cycle. There was a minority of liberals who filibustered against some utilities legislation. The right of unlimited debate is a precious one, and when it begins to interfere with the legislative process and the business of the public, the Senate of the United States has provided the extraordinary means of limiting debate. That fact was completely overlooked in tonight's discussion. Completely.

"Mr. President, the motion to limit debate was adopted at 6:40 p.m. It provided for more than three hours and twenty minutes of discussion on the budget. I don't think that anybody can honestly say that three hours is not an adequate time for serious and meaningful deliberations on the budget. In short, we are not trying to stifle debate on the budget. I would point out further, of each of the six individuals, five have served on the Ways and Means Committee or

the Finance Committee of the House at one time or another. Some dating back eighteen years.

"Yet, at no point in that time did any one of those five ever ask for worksheets as a condition of their vote of the budget, 'yes' or 'no,' and I can and will, Mr. President, insert into the Journal, the voting record of each of those individuals, relative to their position of voting on the budget 'yes' or 'no,' for each of their years of legislative service. Yet, at no time, during those years of service, were worksheets ever demanded as a condition for voting 'yes' or 'no' on the budget.

"Mr. President, what was attempted here tonight was a filibuster to force the budget pass the midnight deadline and to force this Legislature into an extension. I say that enough is enough. It is unfair for the remaining nineteen members of the Senate, both Democrats and Republicans alike, and we should be permitted to finish the people's business, finish our work, and go home. Mr. President, let's get going."

Senator Cobb then requested that the following document be inserted into the record, and the President, noting that there was no objection, so ordered.

"DISSIDENT DEMOCRATS' SERVICE ON MONEY COMMITTEES AND VOTING ON FINAL BUDGET

Cayetano (20th District):

Not a member of House Finance 1975-78 (was the chairman of the Committee on Energy/Transportation), chairman of Ways and Means 1979-80, member of Ways and Means 1981-82, not a member of Ways and Means in 1983; Has voted yes all times 1975 to 80 and 1982 except for voting no in 1981* (voted no in 1981 Regular Session, excused and didn't vote in 1981 Special Session).

Abercrombie (11th District):

Not a member of House Finance 1975-78, became a member of Ways and Means in 1979-82, not a member of Ways and Means in 1983; voted no in 1975, voted yes in 1976, 1978-82, in 1977 voted yes in the Regular Session but voted no in the 1977 Special Session.

Toguchi (22nd District):

Never a member of either House

Finance (was chairman of the Committee on Ocean/Marine Resources 1977-80, was chairman of Education 1981-82) or Ways and Means; has always voted yes on the final budget.

Carpenter (1st District):

Was a member of Ways and Means 1979-80, not a member of Ways and Means 1981-83 (was chairman of Judiciary); has always voted yes on the final budget.

Kawasaki (14th District):

Was vice-chairman of Ways and Means 1967-70, not a member of Ways and Means 1971-78, vice-chairman of Ways and Means 1979-80, member of Ways and Means 1981-83 (part of 1983); voted yes in 1967-68, 1970-72, 1974-75, 1978-80, 1982. Voted no in 1973, 1976, 1977* (voted no in 1977 Regular Session, was excused in 1977 Special Session), 1981* (voted no in 1981 Regular Session, and 1981 Special Session). In 1969 he was excused and didn't vote."

At this time, Senator Henderson rose and stated:

"Mr. President, I rise on a point of information. I'd like to ask the chairman of Ways and Means a question."

The President queried:

"Does it pertain to the State Budget? Because if it is, the debate is over and we're ready to vote."

Senator Henderson replied:

"This is a point of information. I'm not saying that I'm for or against the budget, Mr. President."

The question was posed and Senator Yamasaki, having answered in the affirmative, Senator Henderson continued:

"Mr. President, in the twelve years that I've been here, we always had a financial plan that showed the expenditures and the sources of revenues, and what the fund balances would be, and I would like to ask the chairman of Ways and Means if we do have such a plan to back up this budget?"

Senator Yamasaki replied:

"We have the source of revenues, yes."

Senator Henderson then queried

further:

"Then you have the total expenditures in the budget?"

Senator Yamasaki replied:

"The General Fund revenues expenditures are...."

Senator Henderson then interjected:

"Do you have the fund balances?"

Senator Yamasaki replied in the affirmative and Senator Henderson then queried:

"Can you tell me what the General Fund balance is at the end of June 30, 1983?"

Senator Yamasaki replied:

"According to our figures, the General Fund balance at the end of the first fiscal year would be 27.9 and at the end of the second fiscal year, 1.8."

Senator Henderson then stated:

"The Governor's Financial Plan that came down had fund balances on June 30, 1983 of \$46,724,000; and then he showed a total deficit at the end of '85 of \$255,000,564. After the Legislature was in session, he sent down another letter, and that letter, Mr. President, allowed that there would be some \$5 million in additional hospital receipts in the '83 fiscal year and \$45 million in lapses, that he recommended that the Legislature take into account. He also indicated that he expected the liquor tax revenues that were in escrow to be realized in fiscal year '84 to the tune of \$85 million and in '85 by the amount of \$25 million. In addition to that,...."

Senator Chang then interjected:

"Point of order, Mr. President. The point of information is an incidental motion and must give way to the privileged status of the Order of the Day. The Order of the Day calls for a vote on this question at 10:00 o'clock and we are far past that time."

Senator Henderson then replied:

"Mr. President, I'm almost through and I would like to state my question.

"In addition to that he made some recommendations to specific appropriations of \$6 million. So, in effect, if you took the Governor's Financial

Plan, and took his later recommendations to cover the deficits, you would end up in 1985 with a surplus of \$5,436,000. Now, if we just take the Governor's Financial Plan, and insert the expenditures, it appears that from the numbers that I have, that that Financial Plan turns into a General Fund balance at the end of June of 1984 of a surplus of \$9,385,000 and a deficit on June 30, 1985 of \$69,458,000.

"Now, in addition to that, Mr. President, that includes the \$120 million that is coming from the liquor taxes in escrow and also the receipts that will be received in 1985. I talked to the tax office late this afternoon and was advised that even though some of the distributors had decided not appeal to the United States Supreme Court, the issue is all in one case and that the money is going to be locked up until the last person waives his right to appeal, which I think has gone by, or until the Supreme Court refuses to review the case, which could happen in June, but if they agree to review the case, we're looking at a period of time that would probably take two years to get this thing through the Supreme Court, so this revenue source would be entirely out of the biennium.

"So, what I am suggesting, Mr. President, is that if we use those assumption, and I'm saying that I can't argue that you can't use them, but I'd just like to point out that if you do use them, you have to realize that there is a potential shortfall in June of 1985 of \$69 million plus \$120 million. So you're looking at a \$190 million deficit at the end of 1985! And, I think that this is the kind of concerns that we should have been talking about tonight. Not grievances against the way this place is run. Be that as it may, Mr. President, it's my feeling that we really need to take a hard look at this, during the interim,...you know, you can go and pass this thing, I'm obviously going to vote 'no,' and I don't urge you to vote 'no' if you want to pass it, because I think that we need a budget obviously, to run this state, and I can justify in my own mind allowing you to do that since we do have a surplus at the end of 1984, and we will be coming back into session to look at this whole budget again, next year.

"So, I think what we really have to start doing is start looking and making some hard decisions. We really have to make some hard deci-

sions. We can't play games with these budget figures, and that's what we're doing right now, gentlemen, we're playing games. Thank you."

At this time, Senator Ajifu rose and stated:

"Mr. President, just a short statement, please.

"Mr. President, I rise to speak in favor of the budget bill. I recognize that this is not a perfect document...."

The President then interjected:

"Senator Ajifu, at this point, there is no further debate because of the motion to fix time. So we will proceed now with having the Clerk identify the bill and then taking a vote."

Senator Ajifu then requested that the following statement be inserted into the record and the President, noting that there was no objection, so ordered.

"Mr. President, I rise to speak in favor of the budget bill before us.

"It is not a perfect document. Every one of us here may oppose some portion of it.

"But I think that over-all it is a good budget; it is one that we can all buy and support.

"Second, let me speak for a moment in recognition and commendation of the chairman of the Senate conferees, Senator Mamoru Yamasaki of the Fourth Senatorial District.

"For over seven days now, Senator Yamasaki has chaired what were essentially continuous negotiations.

"He helped run the conference committee in a friendly fashion as he mixed humor with the seriousness of the subject matter we were discussing.

"Consistently, he showed that he knew the subject matter which we were discussing very well.

"Besides being well versed in all aspects of the budget, he was able to explain and translate the complex portions of the budget document in a manner that made it easy to understand and follow for the conferees.

"I think the full Senate owe a debt of gratitude to Chairman Yamasaki for

the job he performed this past week.

'In conclusion, Mr. President, I wish to show my support of Chairman Yamasaki and the budget bill that we have before us.

'Thank you very much.'

The motion was put by the Chair and Conf. Com. Rep. No. 69 was adopted, and, Roll Call vote having been requested, H.B. No. 1, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 4 (George, Henderson, A. Kobayashi and Soares). Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

At 10:50 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:10 o'clock p.m.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

FINAL READING

Conference Committee Report No. 27 (H.B. No. 1119, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 27 was adopted and H.B. No. 1119, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING AN APPROPRIATION THEREFOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 45 (S.B. No. 800, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 45 was adopted and S.B. No. 800, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONAL CONCILIATION PANEL,"

having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 46 (H.B. No. 393, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 46 was adopted and H.B. No. 393, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 56 (S.B. No. 903, S.D. 1, H.D. 2, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 56 be adopted and S.B. No. 903, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

At 11:12 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:14 o'clock p.m.

The motion was put by the Chair and carried and Conf. Com. Rep. No. 56 was adopted, and Roll Call vote having been requested, S.B. No. 903, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 4 (Chang, A. Kobayashi, B. Kobayashi and Solomon). Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 63 (S.B. No. 1062, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 63 was adopted

and S.B. No. 1062, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY DEVELOPMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 64 (S.B. No. 834, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 64 was adopted and S.B. No. 834, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN AN ACT RELATING TO DISLOCATED WORKERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 65 (S.B. No. 4, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 65 was adopted and S.B. No. 4, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS AND MAKING APPROPRIATIONS THEREFOR," having been read throughout passed Final Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 3 (George, Henderson and Soares). Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 66 (H.B. No. 1434, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 66 was adopted and H.B. No. 1434, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused,

6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 67 (S.B. No. 994, S.D.1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 67 was adopted and H.B. No. 994, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOLOKAI GENERAL HOSPITAL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 68 (S.B. No. 937, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 68 was adopted and S.B. No. 937, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 70 (S.B. No. 1279, S.D. 2, H.D. 2, C.D. 2):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 70 was adopted and S.B. No. 1279, S.D. 2, H.D. 2, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 71 (H.B. No. 387, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 71 was adopted and H.B. No. 387, H.D. 2, S.D. 2,

C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 4 (George, Henderson, A. Kobayashi and Soares). Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 72 (H.B. No. 45, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 72 was adopted and H.B. No. 45, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 73 (H.B. No. 1190, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 73 was adopted and H.B. No. 1190, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY FARM LOANS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 74 (H.B. No. 670, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 74 was adopted and H.B. No. 670, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and

Toguchi).

At 11:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:19 o'clock p.m.

Conference Committee Report No. 75 (H.B. No. 5, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 75 was adopted and H.B. No. 5, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 4 (George, Henderson, A. Kobayashi and Soares). Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 76 (H.B. No. 236, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 76 was adopted and H.B. No. 236, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 77 (H.B. No. 225, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 77 was adopted and H.B. No. 225, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Conference Committee Report No. 78

(H.B. No. 702, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 78 was adopted and H.B. No. 702, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

THIRD READING

House Bill No. 284, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 284, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL EMPLOYMENT AGENCIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

FINAL READING

Senate Bill No. 6, S.D. 1, H.D. 2:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 6, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Senate Bill No. 368, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 368, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

Senate Bill No. 608, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 608, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL ASSISTANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

THIRD READING

Standing Committee Report No. 917 (H.B. No. 1262, H.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Stand. Com. Rep. No. 917 was adopted and H.B. No. 1262, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR CONSTRUCTION OF AN ETHANOL PLANT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

FINAL READING

Senate Bill No. 418, S.D. 1, H.D. 1:

Senator Cobb moved that S.B. No. 418, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

At this time, Senator Uwaine rose and stated:

"Mr. President, I find myself caught between a rock and a hard place. As the chairman of the Transportation Committee, I must recommend to this body that we vote down this bill. I would have preferred to recommit this bill back into conference, but because of parliamentary and Senate Rules, causing time to lapsed for conference...I think the primary reason for asking to go back in to conference was so that we could get more input on this particular bill...so for these reasons, I ask that the members vote this bill down.

Thank you."

Senator Henderson then rose and stated:

"Mr. President, I rise to speak in favor of this bill.

"Mr. President, this is an important bill for people in Kona. The tourist industry on the neighbor islands, especially on Kauai and Hawaii, is in serious shape. If there is one thing that we could do in this Legislature this year, the least we could do is to give these people over there some psychological boost, and this would be one way to do it.

"They want this bill. They feel that it is important for the marketing of the whole Kona Coast. The Rock Resorts, the United Airlines Mauna Kea Beach Hotel, has agreed to change their designation of their area from South Kohala to Kona; all of Maunalani has agreed to use, not South Kohala, but Kona. The Sheraton Waikoloa has agreed to change their name from South Kohala to Kona. All of the hotels in Kailua and Keahou have all agreed to use the word Kona. They want to promote Kona as a resort area on West Hawaii. This bill ties right into that promotion. It's a very simple bill. It just changes the name from Keahole to Kona. It's not hard to understand, we don't need to consider it any more. It's a straightforward deal. Either the airport's name is Keahole, or it's Kona. I therefore urge all of you to vote this bill up to make the name of the airport Kona, which everybody calls it."

At 11:24 o'clock p.m., the Senate closed in recess subject to the call of the Chair.

The Senate reconvened at 11:25 o'clock p.m.

Senator Uwaine then stated:

"Mr. President, I would just like to thank the good Senator from the Big Island, Senator Henderson, for his remarks and to reassure him that they would be taken into consideration next year."

Senator George then commented:

"Mr. President, I wonder if someone can explain to me why this area, formerly known as Kailua Airport, should retain that designation. I am concerned lest my constituents be under the impression that there's going to be an airport located in

Kawainui Marsh."

The motion was put by the Chair and Roll Call vote having been requested, S.B. No. 418, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KONA AIRPORT," having been read throughout, failed to pass Final Reading on the following showing of Ayes and Noes:

Ayes. 10, Noes, 9 (Chang, Hagino, Holt, Machida, Mizuguchi, Uwaine, Yamasaki, Young and Wong). Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

RECONSIDERATION OF ACTION TAKEN

Senator Cobb moved that the Senate reconsider its action taken earlier on the calendar on Conf. Com. No. 13 and H.B. No. 314, S.D. 2, C.D. 1, seconded by Senator Soares and carried.

Senator Cobb then moved that Conf. Com. Rep. No. 13 be adopted and H.B. No. 314, S.D. 2, C.D. 1, pass Final Reading, seconded by Senator Soares.

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 13 was adopted and H.B. No. 314, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

House Concurrent Resolution No. 169:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 169, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO ACKNOWLEDGE THE ILLEGAL AND IMMORAL ACTIONS OF THE UNITED STATES IN THE OVERTHROW OF THE KINGDOM OF HAWAII IN 1893, AND TO INDICATE ITS COMMITMENT TO GRANT RESTITUTION FOR THE LOSSES AND DAMAGES SUFFERED BY NATIVE HAWAIIANS AS A RESULT OF THOSE WRONGFUL ACTIONS," was adopted.

House Concurrent Resolution No. 178,

H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 178, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR AND THE BOARD OF LAND AND NATURAL RESOURCES OF THE STATE OF HAWAII TO GIVE PRIORITY TO HAWAIIAN TUNA PACKERS FOR SPACE AT THE KOULA STREET PROPERTY," was adopted.

Senate Concurrent Resolution No. 41 (H.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 41, and S.C.R. No. 41, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON IMPROVING AIR CARRIER SERVICE FOR MOVING DIVERSIFIED HAWAII AGRICULTURAL PRODUCTS," was finally adopted.

House Concurrent Resolution No. 87:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 87, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN UPDATED STUDY OF THE FEASIBILITY OF CONSTRUCTING A SECOND BREAKWATER AT PORT ALLEN, KAUAI," was adopted.

House Concurrent Resolution No. 110, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 110, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE JUVENILE JUSTICE INTERAGENCY BOARD TO REPORT ON ITS PROGRESS IN IMPLEMENTING THE JUVENILE JUSTICE SYSTEM MASTER PLAN," was adopted.

House Concurrent Resolution No. 120:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 120, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE UNITED STATES SENATE EXPEDITIOUSLY ADVISE AND CONSENT TO THE UNITED STATES PACIFIC ISLANDS FRIENDSHIP TREATIES," was adopted.

House Concurrent Resolution No. 126:

On motion by Senator Cobb, seconded by Senator Soares and carried,

H.C.R. No. 126, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE APPOINTMENT OF TWO ADDITIONAL AMBASSADORS TO THE PACIFIC ISLAND NATIONS," was adopted.

House Concurrent Resolution No. 193, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 193, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONGRESS AND PRESIDENT OF THE UNITED STATES TO AUTHORIZE THE NATIONAL AQUACULTURE ACT OF 1980," was adopted.

At 11:30 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:33 o'clock p.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 744 to 746) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 744) informing the Senate that the House has reconsidered its action taken on April 7, 1983 in disagreeing to the amendments made by the Senate to House Bill No. 1505, H.D. 1, and the Speaker, on April 21, 1983, discharged the Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 745) returning Senate Concurrent Resolution No. 61, S.D. 1, which was adopted by the House of Representatives on April 22, 1983, in an amended form, was placed on file.

Senator Cobb moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 61, S.D. 1, seconded by Senator Soares.

Senator Cobb then rose and stated:

"Very briefly, Mr. President, the committee amended this concurrent resolution to provide for the transmittal of copies to the Director of Labor and the Insurance Commissioner. That was the only change to this Senate Concurrent Resolution and I find this perfectly agreeable."

The motion was put by the Chair and carried, and S.C.R. No. 61,

S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO ARRANGE FOR A STUDY OF THE WORKERS' COMPENSATION PROGRAM BY THE LEGISLATIVE AUDITOR," was finally adopted.

A communication from the House (Hse. Com. No. 746) returning Senate Concurrent Resolution No. 107, S.D. 1, which was adopted by the House of Representatives on April 22, 1983, in an amended form, was placed on file.

Senator Machida moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 107, S.D. 1, seconded by Senator Cobb.

Senator Machida then stated as follows:

"Mr. President, the only amendment to the resolution is taking away the requirement for a report to be submitted to the Legislature and I have no objections to this amendment."

The motion was put by the Chair and carried, and S.C.R. No. 107, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONSIDER THE ADOPTION OF A RULE TO REQUIRE STAMPING THE PROCESSED DATE AND THE PULL DATE ON EACH CARTON OF MILK," was finally adopted.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1061) recommending that Senate Resolution No. 122 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 122, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE ADVISABILITY OF ESTABLISHING A BOARD UNDER THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO LICENSE PHYSICAL THERAPISTS AND PHYSICAL THERAPIST ASSISTANTS AND REGULATE THE PRACTICE OF PHYSICAL THERAPY," was adopted.

Senator Hagino, for the Committee on Federal Relations, presented a report (Stand. Com. Rep. No. 1062) recommending that House Concurrent Resolution No. 179, H.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.C.R. No. 179, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE OPPOSITION TO THE CARIBBEAN BASIN ECONOMIC RECOVERY ACT AND ENCOURAGING THE HAWAII CONGRESSIONAL DELEGATION TO FIGHT ITS PASSAGE," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1063) recommending that House Bill No. 703, H.D. 1, pass Third Reading.

Senator Aki moved that H.B. No. 703, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

At this time, Senator Soares rose and stated:

"Mr. President, I hadn't intended to speak against this bill, but I feel that I am compelled to and that therefore, I should. The more I think about it, the bill actually will serve to help a few people. When it originally came out two years ago, it was intended to assist us in trying to diversify our energy resources by allowing wind energy and OTEC and geothermal to go ahead. While we talked about this bill satisfying some of our needs with regards to those who have windmills getting their fair share of assistance from the utility companies, I find it very difficult at this point in time to vote for this measure, so I ask all the members to vote against it. Thank you."

Senator Aki then rose to speak in favor of the measure stating:

"Mr. President, this bill does two things. First of all, it extends the same minimum protection of state law concerning the prices utilities must pay for alternate energy generated electricity, to all sources of alternate energy.

"Second, Mr. President, this bill directs the PUC to hold hearings on the establishment of a price floor for alternate energy. The purpose of the minimum floor, is to provide income protection against large fluctuations in the cost of fossil fuel, such as we have seen in the past six months.

"Your committee is well aware, Mr. President, that the approach provided by this bill may be considered unique. However, innovative mea-

asures appear necessary in order to insure the survival of the alternate energy industry at this critical point.

"Finally, Mr. President, it is the committee's expectation that with the passage of this bill, all segments of the energy industry, utilities and small producers of light, will forge a new alliance to help release the state from its dependence on increasingly scarce fossil fuel sources. Thank you."

The motion was put by the Chair and carried and the report of the Committee was adopted, and H.B. No. 703, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATE ENERGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Aye, 14. Noes, 5 (Ajifu, George, Henderson, A. Kobayashi and Soares). Excused, 6 (Abercrombie, Carpenter, Cayetano, Fernandes Salling, Kawasaki and Toguchi).

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 148 to 156) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 148) entitled: "SENATE RESOLUTION RECOGNIZING WITH GRATITUDE EACH OF THE MINISTERS OF RELIGION WHO OPENED A DAY OF THE SENATE, TWELFTH LEGISLATURE, 1983, STATE OF HAWAII, WITH AN INSPIRATIONAL INVOCATION," was offered by Senators Uwaine and Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 148 was adopted.

A resolution (S.R. No. 149) entitled: "SENATE RESOLUTION EXPRESSING DEEPEST APPRECIATION TO THE MEMBERS OF THE VARIOUS MEDIA FOR THEIR COVERAGE OF THE ACTIVITIES OF THE TWELFTH LEGISLATURE, REGULAR SESSION OF 1983," was offered by Senators Uwaine and Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 149 was adopted.

A resolution (S.R. No. 150) entitled: "SENATE RESOLUTION RELATING TO THE PRINTING OF THE JOURNAL OF THE SENATE," was offered by Senators Uwaine and

Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 150 was adopted.

A resolution (S.R. No. 151) entitled: "SENATE RESOLUTION RETURNING ALL BILLS, CONCURRENT RESOLUTIONS, AND RESOLUTIONS TO THE CLERK'S DESK," was offered by Senators Uwaine and Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 151 was adopted.

A resolution (S.R. No. 152) entitled: "SENATE RESOLUTION REGARDING COMPLETION OF THE WORK OF THE TWELFTH LEGISLATURE SUBSEQUENT TO THE ADJOURNMENT THEREOF," was offered by Senators Uwaine and Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 152 was adopted.

A resolution (S.R. No. 153) entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO DESIGNATE EMPLOYEES WHO WILL WORK AFTER ADJOURNMENT," was offered by Senators Uwaine and Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 153 was adopted.

A resolution (S.R. No. 154) entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO EXPEND FUNDS AFTER ADJOURNMENT," was offered by Senators Uwaine and Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 154 was adopted.

A resolution (S.R. No. 155) entitled: "SENATE RESOLUTION INFORMING THE HOUSE AND THE GOVERNOR THAT THE SENATE IS READY TO ADJOURN SINE DIE," was offered by Senators Uwaine and Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 155 was adopted.

A resolution (S.R. No. 156) entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO APPROVE THE JOURNAL OF THIS SENATE FOR THE SIXTIETH DAY," was offered by Senators Uwaine and

Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 156 was adopted.

At 11:39 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:40 o'clock p.m.

The President then stated:

"Before adjourning this evening, I know the hour is late, but the Chair would just like to make some very brief comments.

"Very soon, in fact, in a few minutes, we will be adjourning this 1983 Legislative Session Sine Die. Before we finish up and go home, I would like to make just a very few short remarks.

"This has been a very long, a very difficult, and a very arduous session. We have had our difficulties and our differences, to be sure. However, I must emphasize this, we have managed to finish the job on schedule. I'm proud of that.

"To all of you who have contributed to finishing the job, especially the young freshman Senators, thank you very much. I think we're all anxious to go home.

"To all of the members of the Senate, Democrats, Republicans, allies and adversaries, I wish you all well. I'm only sorry that we were not able to end this session on a harmonious note. I want you to know that in the coming interim, that I will be taking action to address some of the internal concerns of this body. I will be in touch with you in the weeks and months ahead. Hopefully, by the time we reconvene next year, we will be a stronger and a more united body.

"I would certainly be remiss if I did not express my heartfelt appreciation on behalf of all the Senators to our hard working staff, both in the printshop and in the committees and on the floor. I know our staff has been putting in very long and hard hours, under very tense and trying circumstances. We would not have been able to complete our work, truly, without them. And, in response to the question that has been raised on the question of our

patronage staff compensation, the matter is being taken care of.

"So, rest up, everybody. Get re-acquainted with your families, resume your private lives. Until next year's session, Senators, staff, visitors and everybody, Governor and Mrs. Ariyoshi, Lieutenant Governor Waihee, Aloha."

Senator Henderson then rose and stated:

"Mr. President, I think that I would also like to say a few words in response to your statement.

"You're right. This has been a long and arduous session. I think that the best thing that we can do for the people of the State of Hawaii, right now, is to close this place up and go home.

"I sincerely hope, that you twenty Democrats, can get yourselves reorganized, where you can run an orderly body and conduct the affairs of the State of Hawaii and legislate good legislation, for the people of the State of Hawaii. There are a lot of areas that we have to take up next year: workers' compensation, the budget ...there are a lot of other areas that really need attention, and I think that the divisiveness and the conflict that has been shown here tonight, has been simmering here, for a long, long time under the surface, is something that needs to be addressed in the interim, and I urge you, Mr. President, and all of you to make amends, make your pardons and get together and come back next year to get down to work. Thank you."

At this time, the President appointed Senators Kuroda, Chairman, Cobb, and Uwaine as a Committee to inform the Governor and the House of Representatives that the Senate stands ready to adjourn Sine Die.

At 11:45 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:49 o'clock p.m.

Senator Kuroda, for the Special Committee, reported orally that it has informed the Governor and the House of Representatives that the Senate is ready to adjourn Sine Die.

The President then discharged the Committee with thanks.

ADJOURNMENT

Senator Cobb moved that the Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, adjourn Sine Die, seconded by Senator Soares and carried.

At 11:50 o'clock p.m., the President rapped his gavel and declared the Senate of the Twelfth Legislature of the State of Hawaii, Regular Session of 1983, adjourned Sine Die.

GOVERNOR'S MESSAGES RECEIVED AFTER THE ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Gov. Msg. No. 290 informing the Senate that on April 26, 1983, he signed the following bills into law:

Senate Bill No. 22 as Act 4, entitled: "RELATING TO HORIZONTAL PROPERTY REGIMES";

Senate Bill No. 40 as Act 5, entitled: "RELATING TO ACCOUNTANTS";

Senate Bill No. 192 as Act 6, entitled: "RELATING TO PUBLIC ACCOUNTANCY";

Senate Bill No. 194 as Act 7, entitled: "MAKING AN AMENDMENT TO SECTION 314-8, HAWAII REVISED STATUTES";

Senate Bill No. 242 as Act 8, entitled: "RELATING TO PILOTAGE";

Senate Bill No. 254 as Act 9, entitled: "RELATING TO STATE HOUSING PROJECTS";

Senate Bill No. 509 as Act 10, entitled: "RELATING TO THE HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD";

Senate Bill No. 511 as Act 11, entitled: "RELATING TO THE HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD";

Senate Bill No. 953 as Act 12, entitled: "RELATING TO THE BOARD OF AGRICULTURE"; and

House Bill No. 876 as Act 13, entitled: "RELATING TO INSURANCE."

Gov. Msg. No. 291 informing the Senate that on April 28, 1983, he signed the following bills into law:

Senate Bill No. 1292 as Act 14, entitled: "MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT OF THE HOLO HOLO CASES."

Gov. Msg. No. 292 transmitting to the Senate on April 22, 1983, copies of "Hawaii's Environment: the Ninth Annual Report of the Environmental Council 1982," prepared by the Office of Environmental Quality Control in response to Chapter 341, Hawaii Revised Statutes.

Gov. Msg. No. 293 informing the Senate that on April 30, 1983, he signed the following bills into law:

Senate Bill No. 363 as Act 15, entitled: "RELATING TO THE FUNCTIONS OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES";

Senate Bill No. 469 as Act 16, entitled: "RELATING TO MOTOR VEHICLE INSURANCE";

Senate Bill No. 480 as Act 17, entitled: "RELATING TO THE FAMILY COURT";

Senate Bill No. 498 as Act 18, entitled: "RELATING TO THE FAMILY COURT";

Senate Bill No. 748 as Act 19, entitled: "RELATING TO ANNULMENT, DIVORCE, AND SEPARATION"; and

Senate Bill No. 769 as Act 20, entitled: "RELATING TO INDUSTRIAL LOAN COMPANIES."

Gov. Msg. No. 294 informing the Senate that on May 2, 1983, Acting Governor John Waihee signed the following bills into law:

Senate Bill No. 41 as Act 21, entitled: "RELATING TO REAL ESTATE";

Senate Bill No. 178 as Act 22, entitled: "RELATING TO MEDICINE AND SURGERY";

Senate Bill No. 185 as Act 23, entitled: "RELATING TO THE BOARD OF PHARMACY";

Senate Bill No. 791 as Act 24, entitled: "RELATING TO THE INSURANCE COMMISSIONER"; and

House Bill No. 257 as Act 25, entitled: "RELATING TO PUBLIC LANDS."

Gov. Msg. No. 295 informing the Senate that on May 5, 1983, Acting Governor John Waihee signed the following bills into law:

Senate Bill No. 448 as Act 26, entitled: "RELATING TO FIREARMS";

Senate Bill No. 481 as Act 27,

entitled: "RELATING TO THE FAMILY COURT";

Senate Bill No. 484 as Act 28, entitled: "RELATING TO THE UNIFORM PROBATE CODE";

Senate Bill No. 558 as Act 29, entitled: "RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)";

Senate Bill No. 630 as Act 30, entitled: "RELATING TO PAROLE PROCEDURE";

Senate Bill No. 665 as Act 31, entitled: "RELATING TO UNIFORM ENFORCEMENT OF FOREIGN JUDGMENTS";

Senate Bill No. 890 as Act 32, entitled: RELATING TO CREDIT CARD OFFENSES"; and

Senate Bill No. 1187 as Act 33, entitled: "RELATING TO TORT ACTIONS."

Gov. Msg. No. 296 informing the Senate that on May 12, 1983, Acting Governor John Waihee signed House Bill No. 901 as Act 34, entitled: "RELATING TO ELECTIONS."

Gov. Msg. No. 297 informing the Senate that on May 18, 1983, he signed the following bills into law:

Senate Bill No. 18 as Act 35, entitled: "RELATING TO FAIR BUSINESS PRACTICES";

Senate Bill No. 42 as Act 36, entitled: "RELATING TO ELEVATOR MECHANICS";

Senate Bill No. 115 as Act 37, entitled: "RELATING TO THE UNIFORM UNCLAIMED PROPERTY ACT";

Senate Bill No. 176 as Act 38, entitled: "RELATING TO ELECTRICIANS AND PLUMBERS";

Senate Bill No. 179 as Act 39, entitled: "RELATING TO MORTGAGE BROKERS AND SOLICITORS";

Senate Bill No. 186 as Act 40, entitled: "RELATING TO PRIVATE INVESTIGATORS AND GUARDS";

Senate Bill No. 203 as Act 41, entitled: "RELATING TO PUBLIC ASSISTANCE FOR CHILDREN";

Senate Bill No. 247 as Act 42, entitled: "RELATING TO MORTGAGE AND COLLECTION

SERVICING AGENTS";

Senate Bill No. 366 as Act 43, entitled: "RELATING TO THE COMMISSION ON TRANSPORTATION";

Senate Bill No. 507 as Act 44, entitled: "RELATING TO WAGE AND HOUR LAW";

Senate Bill No. 525 as Act 45, entitled: "RELATING TO DRIVER LICENSING";

Senate Bill No. 741 as Act 46, entitled: "RELATING TO COUNTY VEHICULAR TAX REFUNDS; VEHICLES REMOVED FROM THE STATE; JUNKED VEHICLES; VEHICLES BROUGHT INTO THE STATE; EXEMPTIONS FOR STORED VEHICLES";

Senate Bill No. 749 as Act 47, entitled: "RELATING TO HIGHWAY SAFETY";

Senate Bill No. 810 as Act 48, entitled: "RELATING TO INDUSTRIAL LOAN COMPANIES";

Senate Bill No. 907 as Act 49, entitled: "RELATING TO LAND USE";

Senate Bill No. 1288 as Act 50, entitled: "RELATING TO BOXING";

Senate Bill No. 1295 as Act 51, entitled: "RELATING TO SERVICE CORPORATIONS";

House Bill No. 11 as Act 52, entitled: "RELATING TO DISTRICT COURTS";

House Bill No. 244 as Act 53, entitled: "RELATING TO HEALTH";

House Bill No. 273 as Act 54, entitled: "RELATING TO THE SUBPOENA POWERS OF THE DIRECTOR OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS";

House Bill No. 288 as Act 55, entitled: "RELATING TO CHIROPRACTIC";

House Bill No. 657 as Act 56, entitled: "RELATING TO THE BOARD OF ELECTRICIANS AND PLUMBERS"; and

House Bill No. 1582 as Act 57, entitled: "RELATING TO THE COLLECTION OF CHILD SUPPORT."

Gov. Msg. No. 298 informing the Senate that on May 19, 1983, he

signed the following bills into law:

Senate Bill No. 89 as Act 58,
entitled: "RELATING TO THE
STATE IMMIGRANT SERVICES
CENTER";

Senate Bill No. 134 as Act 59,
entitled: "RELATING TO
EXCLUSION OF STOCK FROM
FOREST RESERVATIONS, GAME
MANAGEMENT AREAS AND PUBLIC
HUNTING AREAS";

Senate Bill No. 502 as Act 60,
entitled: "RELATING TO STATE
BONDS";

Senate Bill No. 777 as Act 61,
entitled: "RELATING TO FOREIGN
LENDERS";

Senate Bill No. 889 as Act 62,
entitled: "RELATING TO
COMMENCING PROSECUTION";

Senate Bill No. 915 as Act 63,
entitled: "RELATING TO
COMMENCING PROSECUTION";

Senate Bill No. 1175 as Act 64,
entitled: "RELATING TO
COUNTIES";

House Bill No. 243 as Act 65,
entitled: "RELATING TO VITAL
STATISTICS";

House Bill No. 321 as Act 66,
entitled: "RELATING TO
VISITATION AND SUPPORT";

House Bill No. 329 as Act 67,
entitled: "RELATING TO TAX
INCENTIVES FOR SOLAR ENERGY
DEVICES";

House Bill No. 453 as Act 68,
entitled: "RELATING TO
ROBBERY"; and

House Bill No. 830 as Act 69,
entitled: "RELATING TO PENAL
RESPONSIBILITY AND FITNESS."

Gov. Msg. No. 299 informing the
Senate that on May 20, 1983, he
signed the following bills into law:

Senate Bill No. 117 as Act 70,
entitled: "RELATING TO THE
NATIONAL GUARD";

Senate Bill No. 182 as Act 71,
entitled: "RELATING TO THE
BOARD OF DISPENSING
OPTICIANS";

Senate Bill No. 255 as Act 72,
entitled: "RELATING TO

FIREARMS BROUGHT INTO THE
STATE";

Senate Bill No. 492 as Act 73,
entitled: "RELATING TO THE
JUDICIARY";

Senate Bill No. 519 as Act 74,
entitled: "RELATING TO THE
DEPARTMENT OF SOCIAL
SERVICES AND HOUSING";

Senate Bill No. 650 as Act 75,
entitled: "RELATING TO
POULTRY";

Senate Bill No. 760 as Act 76,
entitled: "RELATING TO COASTAL
ZONE MANAGEMENT";

Senate Bill No. 839 as Act 77,
entitled: "RELATING TO THE
EMPLOYEES' RETIREMENT SYSTEM
OF THE STATE OF HAWAII";

Senate Bill No. 1092 as Act 78,
entitled: "RELATING TO THE
ATTORNEY GENERAL";

Senate Bill No. 1186 as Act 79,
entitled: "RELATING TO FAMILY
COURTS JURISDICTION";

Senate Bill No. 1294 as Act 80,
entitled: "RELATING TO
ALLOWANCES FOR LEGISLATORS";

House Bill No. 237 as Act 81,
entitled: "RELATING TO THE
CONTROL OF TUBERCULOSIS";

House Bill No. 240 as Act 82,
entitled: "RELATING TO THE
REQUIRED BLOOD SAMPLES OF
PREGNANT WOMEN";

House Bill No. 251 as Act 83,
entitled: "RELATING TO WILD
BIRD, GAME BIRD, AND GAME
MAMMAL PERMITS";

House Bill No. 284 as Act 84,
entitled: "RELATING TO THE
COMMERCIAL EMPLOYMENT
AGENCIES";

House Bill No. 334 as Act 85,
entitled: "RELATING TO
BOATING";

House Bill No. 814 as Act 86,
entitled: "RELATING TO THE
HAWAII HOUSING AUTHORITY";

House Bill No. 837 as Act 87,
entitled: "RELATING TO AQUATIC
LIFE";

House Bill No. 882 as Act 88,
entitled: "RELATING TO

TAXATION";

House Bill No. 1117 as Act 89, entitled: "RELATING TO STATE FAIRS"; and

House Bill No. 1221 as Act 90, entitled: "RELATING TO CONTROLLED SUBSTANCES."

Gov. Msg. 300 informing the Senate that on May 21, 1983, he signed the following bills into law:

Senate Bill No. 122 as Act 91, entitled: "RELATING TO PERSONAL RECORDS";

Senate Bill No. 177 as Act 92, entitled: "RELATING TO MEDICINE AND SURGERY";

Senate Bill No. 184 as Act 93, entitled: "RELATING TO PRACTICE OF OSTEOPATHY";

Senate Bill No. 368 as Act 94, entitled: "RELATING TO PUPIL TRANSPORTATION";

Senate Bill No. 711 as Act 95, entitled: "RELATING TO PRACTICING PSYCHOLOGISTS";

Senate Bill No. 742 as Act 96, entitled: "RELATING TO DERELICT VEHICLE; SALE OF ABANDONED VEHICLES BY TOWING COMPANIES; AND MOTOR VEHICLE REPAIR BUSINESS";

Senate Bill No. 937 as Act 97, entitled: "RELATING TO THE INCOME TAX"; and

Senate Bill No. 1075 as Act 98, entitled: "RELATING TO PUBLIC UTILITIES."

Gov. Msg. No. 301 informing the Senate that on May 24, 1983, he signed the following bills into law:

Senate Bill No. 362 as Act 99, entitled: "RELATING TO THE ENFORCEMENT PROGRAM OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES";

Senate Bill No. 669 as Act 100, entitled: "RELATING TO HEALTH";

Senate Bill No. 965 as Act 101, entitled: "RELATING TO HOUSING";

House Bill No. 242 as Act 102, entitled: "RELATING TO USE OF CREDIT CARDS FOR HOSPITAL CHARGES";

House Bill No. 328 as Act 103, entitled: "RELATING TO GENERAL EXCISE TAX";

House Bill No. 527 as Act 104, entitled: "RELATING TO INDUSTRIAL LOAN COMPANIES";

House Bill No. 594 as Act 105, entitled: "RELATING TO EMPLOYEES RETIREMENT SYSTEM";

House Bill No. 1119 as Act 106, entitled: "RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR";

House Bill No. 1128 as Act 107, entitled: "RELATING TO THE MOORING OF COMMERCIAL VESSELS IN SMALL BOAT HARBORS";

House Bill No. 1129 as Act 108, entitled: "RELATING TO CONCESSION BID DEPOSITS"; and

House Bill No. 1262 as Act 109, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR CONSTRUCTION OF AN ETHANOL PLANT."

Gov. Msg. No. 302 informing the Senate that on May 25, 1983, he signed the following bills into law:

Senate Bill No. 6 as Act 110, entitled: "RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR";

Senate Bill No. 133 as Act 111, entitled: "RELATING TO CONSERVATION OF AQUATIC LIFE, WILDLIFE AND PLANTS";

Senate Bill No. 556 as Act 112, entitled: "RELATING TO BUSINESS REGISTRATION";

Senate Bill No. 608 as Act 113, entitled: "RELATING TO RENTAL ASSISTANCE";

Senate Bill No. 891 as Act 114, entitled: "MAKING AN APPROPRIATION FOR PAYMENT OF NEGOTIATED SETTLEMENT BETWEEN RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII AND HAWAIIAN DREDGING AND CONSTRUCTION COMPANY";

Senate Bill No. 1122 as Act 115, entitled: "RELATING TO THE

STATE LIBRARIAN";

Senate Bill No. 1338 as Act 116, entitled: "RELATING TO REAL ESTATE";

House Bill No. 187 as Act 117, entitled: "RELATING TO TRAFFIC SAFETY"; and

House Bill No. 225 as Act 118, entitled: "RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII."

Gov. Msg. No. 303 informing the Senate that he signed the following bills into law on the dates indicated:

May 26, 1983:

Senate Bill No. 180 as Act 119, entitled: "RELATING TO THE PRACTICE OF NURSING";

Senate Bill No. 640 as Act 120, entitled: "RELATING TO LIMITATION OF ACTIONS";

Senate Bill No. 822 as Act 121, entitled: "RELATING TO THE DEVELOPMENTAL DISABILITIES COUNCIL";

Senate Bill No. 824 as Act 122, entitled: "RELATING TO DEVELOPMENTAL DISABILITIES";

Senate Bill No. 1105 as Act 123, entitled: "RELATING TO MOTORCYCLES";

House Bill No. 118 as Act 124, entitled: "RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS";

House Bill No. 234 as Act 125, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

House Bill No. 268 as Act 126, entitled: "RELATING TO STATE POPULATION AND PLANNING";

House Bill No. 914 as Act 127, entitled: "RELATING TO INDUSTRIAL LOAN COMPANIES"; and

House Bill No. 1285 as Act 128, entitled: "RELATING TO THE

PLACEMENT OF A SCULPTURE AT THE KAUAI STATE OFFICE BUILDING."

May 27, 1983:

Senate Bill No. 570 as Act 129, entitled: "RELATING TO CHAPTER 711, OFFENSES AGAINST PUBLIC ORDER";

House Bill No. 211 as Act 130, entitled: "AMENDING SECTION 142-12, HAWAII REVISED STATUTES, RELATING TO PENALTIES";

House Bill No. 277 as Act 131, entitled: "RELATING TO INSURANCE";

House Bill No. 452 as Act 132, entitled: "RELATING TO DEFINITIONS OF STATES OF MIND";

House Bill No. 514 as Act 133, entitled: "RELATING TO COUNTIES"; and

House Bill No. 1434 as Act 134, entitled: "RELATING TO OFFENSES AGAINST PROPERTY RIGHTS."

Gov. Msg. No. 304 transmitting to the Senate on May 23, 1983, copies of the "Resource Management Plan for Kawaiui Marsh," dated March 1983, a product of the Hawaii Coastal Zone Management Program of the Department of Planning and Economic Development.

Gov. Msg. No. 305 returning Senate Bill No. 520, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
Honolulu

May 20, 1983

STATEMENT OF OBJECTIONS TO
SENATE BILL No. 520

Honorable Members
Twelfth Legislature
State of Hawaii

Pursuant to Section 16, Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 520, entitled 'A Bill for an Act Relating to the Hawaii Housing Act.'

Senate Bill No. 520, which relates to the Hawaii Housing Authority, is

identical in all respects to House Bill No. 814. Since it is my intention to approve and to sign said House Bill No. 814, I am returning Senate Bill No. 520 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

"P R O C L A M A T I O N

WHEREAS, under Section 16, of Article III of the Constitution of the State of Hawaii the governor is required to give notice, by a proclamation, of his disapproval of any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, Senate Bill No. 520, entitled 'A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY', passed by the legislature, was presented to the governor within the aforementioned period; and

WHEREAS, Senate Bill No. 520 is identical in all respects to House Bill No. 814, which latter bill I intend to approve and to sign into law; and

WHEREAS, my signing of House Bill No. 814 into law will render Senate Bill No. 520 unnecessary.

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution, giving notice of my plan to return Senate Bill No. 520 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

Done at the State Capitol,
Honolulu, State of Hawaii,
this 20th day of May,
1983.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 306 transmitting copies of the 1982 Annual Report of the Department of Planning and Economic Development.

Gov. Msg. No. 307 informing the Senate that on May 31, 1983, he signed the following bills into law:

House Bill No. 1568 as Act 151, entitled: "RELATING TO STATE BONDS"; and

Senate Bill No. 1062 as Act 152, entitled: "RELATING TO HIGH TECHNOLOGY DEVELOPMENT."

Gov. Msg. No. 308 informing the Senate that on May 28, 1983, he signed the following bills into law:

Senate Bill No. 181 as Act 135, entitled: "RELATING TO THE NURSING HOME ADMINISTRATORS ACT";

Senate Bill No. 191 as Act 136, entitled: "RELATING TO PSYCHOLOGISTS";

Senate Bill No. 787 as Act 137, entitled: "RELATING TO HORIZONTAL PROPERTY REGIMES";

Senate Bill No. 800 as Act 138, entitled: "RELATING TO DESIGN PROFESSIONAL CONCILIATION PANEL";

Senate Bill No. 1254 as Act 139, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

Senate Bill No. 1279 as Act 140, entitled: "RELATING TO ENVIRONMENTAL QUALITY";

House Bill No. 43 as Act 141, entitled: "RELATING TO AGRICULTURAL PRODUCT PROMOTION";

House Bill No. 166 as Act 142, entitled: "RELATING TO MEDICAL INSURANCE";

House Bill No. 236 as Act 143, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

House Bill No. 440 as Act 144, entitled: "RELATING TO MOTOR VEHICLE INSURANCE";

House Bill No. 519 as Act 145, entitled: "RELATING TO FISHING IN CERTAIN WATERS";

House Bill No. 684 as Act 146, entitled: "RELATING TO THE LANDLORD TENANT CODE";

House Bill No. 753 as Act 147, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

House Bill No. 1087 as Act 148,

entitled: "RELATING TO HEALTH";

House Bill No. 1151 as Act 149, entitled: "RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS"; and

House Bill No. 1380 as Act 150, entitled: "RELATING TO HEALTH."

Gov. Msg. No. 309 informing the Senate that on June 2, 1983, he signed the following bills into law:

Senate Bill No. 555 as Act 153, entitled: "RELATING TO SERVICE FEES";

Senate Bill No. 1247 as Act 154, entitled: "RELATING TO MOTOR AND OTHER VEHICLES";

House Bill No. 304 as Act 155, entitled: "RELATING TO THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS, ARCHITECTS AND SURVEYORS";

House Bill No. 319 as Act 156, entitled: "RELATING TO HOUSING";

House Bill No. 402 as Act 157, entitled: "RELATING TO MINORS";

House Bill No. 411 as Act 158, entitled: "RELATING TO PUBLIC EMPLOYMENT";

House Bill No. 502 as Act 159, entitled: "RELATING TO HEALTH";

House Bill No. 535 as Act 160, entitled: "RELATING TO THE HAWAII ADMINISTRATIVE PROCEDURE ACT";

House Bill No. 576 as Act 161, entitled: "RELATING TO GAMBLING";

House Bill No. 844 as Act 162, entitled: "RELATING TO STADIUM AUTHORITY";

House Bill No. 1231 as Act 163, entitled: "RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM";

House Bill No. 1232 as Act 164, entitled: "RELATING TO HOUSING";

House Bill No. 1401 as Act 165, entitled: "RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES"; and

House Bill No. 1620 as Act 166,

entitled: "RELATING TO COOPERATIVE HOUSING CORPORATIONS."

Gov. Msg. No. 310 returning House Bill No. 431, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 6, 1983

STATEMENT OF OBJECTIONS TO
HOUSE BILL NO. 431

Honorable Members
Twelfth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 431, entitled 'Uniform Securities Act (Modified).'

The purpose of House Bill No. 431 is to amend section 485-6 of the Hawaii Revised Statutes, to enable the Commissioner of Securities to adopt rules which would permit exemption of private or semi-public securities offerings.

However, Senate Bill No. 558, an exact duplicate of House Bill No. 431, has already been signed into law as Act 29 (1983). In view thereof, I feel that there is no necessity to enact this bill into law.

For the foregoing reasons, I am returning House Bill No. 431 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 431, entitled 'Uniform Securities Act (Modified),' passed by the legislature, was presented to the

governor within the aforementioned period; and

WHEREAS, House Bill No. 431 is an exact duplicate of Senate Bill No. 558 which has ready been enacted into law as Act 29 (1983);

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 431 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 6th day of June,
1983

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 311 returning House Bill No. 311, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
Honolulu

June 6, 1983

STATEMENT OF OBJECTIONS TO
HOUSE BILL NO. 311

Honorable Members
Twelfth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 311, entitled "Making an Amendment to Section 314-8, Hawaii Revised Statutes."

The purpose of House Bill No. 311 is to amend section 314-8 of the Hawaii Revised Statutes, to enable the Hawaii Public Broadcasting Authority to make, amend, and repeal rules and regulation needed in the conduct of its operations.

However, Senate Bill No. 194, an exact duplicate of House Bill No. 311, has already been signed into law as Act 7 (1983). In view thereof, I feel that there is no necessity to enact this bill into law.

For the foregoing reasons, I am

returning House Bill No. 311 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 311, entitled 'Making an Amendment to Section 314-8, Hawaii Revised Statutes,' passed by the legislature, was presented to the governor within the aforementioned period; and

WHEREAS, House Bill No. 311 is an exact duplicate of Senate Bill No. 194 which has already been enacted into law as Act 7 (1983);

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 311 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 6th day of June, 1983.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 312 informing the Senate that he signed the following bills into law on the dates indicated:

June 4, 1983:

Senate Bill No. 55 as Act 167,
entitled: "RELATING TO THE
HAWAII BUSINESS CORPORATION
ACT";

Senate Bill No. 80 as Act 168,
entitled: "RELATING TO
JUVENILES";

House Bill No. 752 as Act 169,

entitled: "RELATING TO RESTITUTION FOR VANDALISM OF PUBLIC SCHOOLS";

House Bill No. 1123 as Act 170, entitled: "RELATING TO HEARINGS BEFORE THE BOARD OF LAND AND NATURAL RESOURCES"; and

House Bill No. 1417 as Act 171, entitled: "RELATING TO THE CHILD PROTECTIVE ACT."

June 6, 1983:

Senate Bill No. 569 as Act 172, entitled: "RELATING TO PENAL RESPONSIBILITY AND FITNESS TO PROCEED";

Senate Bill No. 631 as Act 173, entitled: "RELATING TO INVOLUNTARY CIVIL COMMITMENT UNDER MENTAL HEALTH LAW. ADMISSIONS FOR NONEMERGENCY TREATMENT OR SUPERVISION";

Senate Bill No. 994 as Act 174, entitled: "RELATING TO THE MOLOKAI GENERAL HOSPITAL";

Senate Bill No. 1003 as Act 175, entitled: "RELATING TO LAND SALES";

House Bill No. 45 as Act 176, entitled: "MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT";

House Bill No. 210 as Act 177, entitled: "RELATING TO CHICKEN EGGS";

House Bill No. 253 as Act 178, entitled: "RELATING TO PUBLIC LANDS";

House Bill No. 256 as Act 179, entitled: "RELATING TO PUBLIC LANDS";

House Bill No. 269 as Act 180, entitled: "RELATING TO THE APPOINTMENT OF MEMBERS TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY";

House Bill No. 282 as Act 181, entitled: "RELATING TO REINSTATEMENT OF A SUSPENDED LICENSE OR PERMIT";

House Bill No. 313 as Act 182, entitled: "RELATING TO PLACE OF IMPRISONMENT";

House Bill No. 546 as Act 183, entitled: "RELATING TO EMPLOYMENT OF PATIENTS AT FACILITIES FOR THE TREATMENT

OF PERSONS SUFFERING FROM HANSEN'S DISEASE";

House Bill No. 663 as Act 184, entitled: "RELATING TO VICTIMS";

House Bill No. 670 as Act 185, entitled: "RELATING TO DISASTER RELIEF";

House Bill No. 1102 as Act 186, entitled: "RELATING TO FAMILY COURTS";

House Bill No. 1266 as Act 187, entitled: "RELATING TO ANNULMENT, DIVORCE, AND SEPARATION";

House Bill No. 1317 as Act 188, entitled: "RELATING TO VEHICLE SIZE AND WEIGHT";

House Bill No. 1342 as Act 189, entitled: "RELATING TO PENAL RESPONSIBILITY AND FITNESS";

House Bill No. 1567 as Act 190, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";

House Bill No. 1201 as Act 191, entitled: "RELATING TO INDUSTRIAL LOAN COMPANIES";

House Bill No. 72 as Act 192, entitled: "RELATING TO HOME CARE SERVICES";

House Bill No. 809 as Act 193, entitled: "RELATING TO OCCUPATIONAL AND CAREER INFORMATION";

Senate Bill No. 833 as Act 194, entitled: "RELATING TO THE JOB TRAINING PARTNERSHIP ACT OF 1982"; and

Senate Bill No. 834 as Act 195, entitled: "RELATING TO DISLOCATED WORKERS."

Gov. Msg. No. 313 informing the Senate that on June 7, 1983, he signed the following bills into law:

House Bill No. 325 as Act 196, entitled: "RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING";

House Bill No. 337 as Act 197, entitled: "RELATING TO MOTOR VEHICLES AND MOPEDS";

House Bill No. 338 as Act 198, entitled: "RELATING TO THE UNIVERSITY OF HAWAII COLLEGE OF EDUCATION";

- House Bill No. 467 as Act 199,
entitled: "RELATING TO
CHILDREN";
- House Bill No. 621 as Act 200,
entitled: "RELATING TO SPEECH
PATHOLOGISTS AND
AUDIOLOGISTS";
- House Bill No. 659 as Act 201,
entitled: "RELATING TO
CONTRACTORS";
- House Bill No. 702 as Act 202,
entitled: "RELATING TO THE
OFFICE OF HAWAIIAN AFFAIRS";
- House Bill No. 708 as Act 203,
entitled: "RELATING TO
RESIDENTIAL LEASEHOLDS";
- House Bill No. 710 as Act 204,
entitled: "RELATING TO
RESIDENTIAL LEASEHOLDS";
- House Bill No. 757 as Act 205,
entitled: "RELATING TO
TEMPORARY DISABILITY
INSURANCE";
- House Bill No. 765 as Act 206,
entitled: "RELATING TO
TAXATION";
- House Bill No. 768 as Act 207,
entitled: "RELATING TO MOTOR
VEHICLE ACCIDENT
REPARATIONS";
- House Bill No. 796 as Act 208,
entitled: "RELATING TO THE
FAMILY COURT";
- House Bill No. 800 as Act 209,
entitled: "RELATING TO THE
FAMILY COURT";
- House Bill No. 810 as Act 210,
entitled: "RELATING TO THE
PRACTICE OF BEAUTY CULTURE";
and
- House Bill No. 811 as Act 211,
entitled: "RELATING TO
INSURANCE UNFAIR PRACTICES
AND FRAUDS."
- Gov. Msg. No. 314 informing the
Senate that on June 8, 1983, he
signed the following bills into law:
- House Bill No. 3 as Act 212,
entitled: "RELATING TO THE TAX
REVIEW COMMISSION";
- House Bill No. 34 as Act 213,
entitled: "RELATING TO THE
DEPARTMENT OF SOCIAL
SERVICES AND HOUSING";
- House Bill No. 42 as Act 214,
entitled: "RELATING TO FEED";
- House Bill No. 44 as Act 215,
entitled: "RELATING TO
AGRICULTURAL PLANNING AND
DEVELOPMENT";
- House Bill No. 69 as Act 216,
entitled: "RELATING TO THE
DETERMINATION OF DEATH";
- House Bill No. 80 as Act 217,
entitled: "RELATING TO
TAXATION";
- House Bill No. 278 as Act 218,
entitled: "RELATING TO
INSURANCE";
- House Bill No. 280 as Act 219,
entitled: "RELATING TO PUBLIC
UTILITIES";
- House Bill No. 291 as Act 220,
entitled: "RELATING TO
DENTISTRY";
- House Bill No. 389 as Act 221,
entitled: "RELATING TO
RECEIPTS";
- House Bill No. 390 as Act 222,
entitled: "RELATING TO QUIETING
TITLE";
- House Bill No. 499 as Act 223,
entitled: "RELATING TO MEDICAL
TORTS";
- House Bill No. 812 as Act 224,
entitled: "RELATING TO
PROSECUTION OF CONSUMER
COMPLAINTS BY THE DEPARTMENT
OF COMMERCE AND CONSUMER
AFFAIRS";
- House Bill No. 813 as Act 225,
entitled: "RELATING TO
FACTORY-BUILT HOUSING";
- House Bill No. 913 as Act 226,
entitled: "RELATING TO
INDUSTRIAL LOAN COMPANIES";
- House Bill No. 992 as Act 227,
entitled: "RELATING TO DOG
CONTROL";
- House Bill No. 1061 as Act 228,
entitled: "RELATING TO
HOUSING";
- House Bill No. 1090 as Act 229,
entitled: "RELATING TO POOL
BUYING TRANSACTIONS";
- House Bill No. 1115 as Act 230,
entitled: "RELATING TO SERVICE
CORPORATIONS";
- House Bill No. 1153 as Act 231,

entitled: "RELATING TO HEALTH";

House Bill No. 1304 as Act 232, entitled: "RELATING TO INDUSTRIAL LOAN COMPANY GUARANTY ACT"; and

House Bill No. 1580 as Act 233, entitled: "RELATING TO INDUSTRIAL LOAN COMPANIES."

Gov. Msg. No. 315 informing the Senate that on June 9, 1983, he signed the following bills into law:

Senate Bill No. 30 as Act 234, entitled: "RELATING TO THE GENERAL EXCISE TAX";

Senate Bill No. 756 as Act 235, entitled: "RELATING TO FILM MAKING";

Senate Bill No. 1057 as Act 236, entitled: "RELATING TO DRIVER EDUCATION INSTRUCTORS";

House Bill No. 6 as Act 237, entitled: "RELATING TO COUNTIES";

House Bill No. 10 as Act 238, entitled: "RELATING TO DISTRICT COURT";

House Bill No. 272 as Act 239, entitled: "RELATING TO THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT";

House Bill No. 286 as Act 240, entitled: "RELATING TO THE PRACTICE OF BARBERING";

House Bill No. 287 as Act 241, entitled: "RELATING TO THE BOXING COMMISSION";

House Bill No. 289 as Act 242, entitled: "RELATING TO CHIROPRACTIC";

House Bill No. 703 as Act 243, entitled: "RELATING TO ALTERNATE ENERGY";

House Bill No. 783 as Act 244, entitled: "RELATING TO THE JUDICIARY";

House Bill No. 915 as Act 245, entitled: "RELATING TO MOTOR VEHICLE INSURANCE";

House Bill No. 1037 as Act 246, entitled: "RELATING TO ANNULMENT, DIVORCE, SEPARATION";

House Bill No. 1121 as Act 247,

entitled: "RELATING TO HOSPITAL ADMINISTRATION IN THE COUNTY/STATE HOSPITAL SYSTEM";

House Bill No. 1294 as Act 248, entitled: "RELATING TO SPOUSE ABUSE";

House Bill No. 1363 as Act 249, entitled: "RELATING TO DISTRICT COURTS";

House Bill No. 1399 as Act 250, entitled: "RELATING TO ECONOMIC DEVELOPMENT";

House Bill No. 1438 as Act 251, entitled: "RELATING TO NAMES";

House Bill No. 1583 as Act 252, entitled: "RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING";

House Bill No. 1602 as Act 253, entitled: "RELATING TO INDUSTRIAL LOAN COMPANIES"; and

House Bill No. 1621 as Act 254, entitled: "RELATING TO HOUSING."

Gov. Msg. No. 316 returning House Bill No. 1505, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
Honolulu

June 14, 1983

STATEMENT OF OBJECTIONS TO
HOUSE BILL NO. 1505

Honorable Members
Twelfth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith House Bill No. 1505, entitled 'A Bill for an Act Relating to the Issuance of Special Purpose Revenue Bonds.'

The purpose of this bill is to authorize the Department of Budget and Finance to issue special purpose revenue bonds for a total amount not to exceed \$10 million, to assist Aloha Studios, Inc. or a partnership in which Aloha Studios, Inc. is a general partner, to finance the establishment of industrial enterprise facilities relating to performing arts.

Although the purpose and intent of the bill have merit, I object to the

\$10,000 appropriation to Aloha Studios, Inc. 'for support services including the hiring of necessary staff,' under Section 4 of the bill and, therefore, disapprove the same. It is my opinion that this appropriation to a private corporation for a private purpose is in contravention of Section 4, Article VII, of the Constitution of the State of Hawaii.

Accordingly, while I have no objections to the other provisions of this bill, I am returning House Bill No. 1505 with my objections to the \$10,000 appropriation referred to above.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

" P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 1505, entitled 'A Bill for an Act Relating to the Issuance of Special Purpose Revenue Bonds,' passed by the legislature, was presented to the governor within the aforementioned period; and

WHEREAS, under Section 16 of Article III the governor may veto or reduce any specific item or items in any bill which appropriates money for specific purposes; and

WHEREAS, Section 4 of the House Bill No. 1505 appropriates \$10,000 for a specific purpose; and

WHEREAS, the \$10,000 appropriation in House Bill No. 1505 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1505 with my objections to the \$10,000 appropriation contained in Section 4 thereof, as provided by said Section

16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 14th day of June,
1983.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 317 returning House Bill No. 966, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
Honolulu

June 14, 1983

STATEMENT OF OBJECTIONS TO
HOUSE BILL NO. 966

Honorable Members
Twelfth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 966, entitled 'Relating to Motor Vehicle Insurance.'

The purpose of House Bill No. 966 is to improve the enforcement of the no-fault law by requiring all insurers to issue an adhesive no-fault identification card for each insured motor vehicle indicating current compliance with the no-fault law. The bill attempts to reduce the uninsured motorist population by identifying those motorists who have obtained valid no-fault policies.

While House Bill No. 966 is a commendable attempt to reduce the uninsured motorist population, I believe that it will create serious administrative burdens for the public, the counties, and the insurance carriers.

For the foregoing reasons, I am returning House Bill No. 966 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
State of Hawaii"

" P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is

required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 966, entitled 'Relating to Motor Vehicle Insurance,' passed the legislature, was presented to the governor within the aforementioned period; and

WHEREAS, House Bill No. 966 creates serious administrative burdens for the public, the counties, and insurance carriers;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16, of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 966 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 14th day of June,
1983.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 318 returning House Bill No. 497, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
Honolulu, Hawaii

June 14, 1983

STATEMENT OF OBJECTIONS TO
HOUSE BILL NO. 497

Honorable Members
Twelfth Legislature
State of Hawaii

Pursuant to Section 16, Article III of the constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 497, entitled: 'A BILL FOR AN ACT RELATING TO DRUGS.'

This bill amends Chapter 328, H.R.S., by adding a new section in Part I to require that prescription drugs in tablet or capsule form bear a mark or imprint which identifies the

drug and the manufacturer or distributor of the drug. The bill provides that the department of health shall adopt necessary rules pursuant to Chapter 91, H.R.S.

The department of health has testified that funding would be needed to implement this bill. However, no funds have been appropriated by the bill.

For the foregoing reason, I am returning House Bill No. 497 without my approval.

Respectfully submitted,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 497, entitled 'A Bill for an Act Relating to Drugs,' passed the legislature, was presented to the governor within the aforementioned period; and

WHEREAS, House Bill No. 497 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16, of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 497 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 14th day of June,
1983.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 319 returning Senate Bill No. 1050, without his approval, together with his statement of objections relating to the measure

which reads as follows:

"EXECUTIVE CHAMBERS
Honolulu

June 14, 1983

STATEMENT OF OBJECTIONS TO
SENATE BILL NO. 1050

Honorable Members
Twelfth Legislature
State of Hawaii

Pursuant to Section 16, Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1050, entitled "A Bill for an Act Relating to Attendance at Classes Outside a School District."

The purpose of Senate Bill No. 1050 is to allow high school students to attend classes outside their school district under certain conditions.

Pursuant to Section 298-18, Hawaii Revised Statutes, and Department of Education Rule 26, Relating To District Exceptions For School Attendance, the Department of Education has exercised its discretion to allow students who request district exceptions to enroll in a school in a district other than the district in which the student resides.

Senate Bill No. 1050 limits the Department of Education's discretion with respect to the granting of district exceptions to high school students who wish to attend classes not offered in the school in which the students reside but offered in a school outside their school district. If a student wishes to take a class which is not offered in the student's assigned district, and the attendance of the student in the district where the class is offered does not prevent a student regularly enrolled at the school from attending that class, the student must be admitted to the class on a first-come, first-served basis.

Senate Bill No. 1050 is expressly limited to high school students. However, some of the high schools do not include grade 9. Accordingly, 9th grade students in intermediate schools will be excluded from the educational opportunities available to them under the current practice of the Department of Education. Similarly, all students below the high school grade levels will also be excluded from the educational opportunities provided by current practice of the department.

For the foregoing reasons, I am returning Senate Bill No. 1050 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, Senate Bill No. 1050, entitled 'A Bill for an Act Relating to Attendance at Classes Outside a School District,' passed the legislature, was presented to the governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1050 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16, of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1050 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, Hawaii, State of
Hawaii, this 14th day of
June, 1983

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 320 returning Senate Bill No. 993, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
Honolulu, Hawaii

June 14, 1983

STATEMENT OF OBJECTIONS TO
SENATE BILL NO. 993

Honorable Members
Twelfth Legislature
State of Hawaii

Pursuant to Section 16, Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 993, entitled 'A BILL FOR AN ACT RELATING TO LAND USE.'

This bill allows the owner of Class A or B agricultural lands to cultivate crops and raise livestock for commercial or personal agricultural use.

Maintaining prime agricultural land for agricultural use has been a long standing policy of the State. By amending Section 205-4.5, H.R.S., to allow cultivation of crops for personal agricultural use, this policy will be eroded. Rather than maintaining prime agricultural lands for agricultural use, prime agricultural lands may be used instead for residential subdivisions.

In addition, the intent of Section 205-4.5 is to preserve and protect prime agricultural lands in the State by preventing any subdivision of prime agricultural land for uses other than the pursuit of agricultural activity. Amendment of Section 205-4.5 will allow uses other than that intended and be in contravention to the long standing policy of the State to maintain prime agricultural lands for agricultural use.

For the foregoing reasons, I am returning Senate Bill No. 993 without my approval.

Respectfully submitted,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, Senate Bill No. 993, entitled 'A Bill for an Act Relating to Land Use,' passed the legislature, was presented to the governor within the aforementioned period; and

WHEREAS, Senate Bill No. 993 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16, of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 993 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 14th day of June,
1983.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 321 returning House Bill No. 1, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
Honolulu

June 14, 1983

STATEMENT OF OBJECTIONS TO
HOUSE BILL NO. 1

Honorable Members
Twelfth Legislature
State of Hawaii

Pursuant to Section 16, Article III of the Constitution of the State of Hawaii, I am returning herewith House Bill No. 1, entitled, 'A Bill for an Act Relating to the State Budget.'

The purpose of this bill is to appropriate funds for the fiscal biennium 1983-85 for the operating expenditures of the various agencies in the executive branch, for other government programs, for capital investment projects, and for grants-in-aid to private organizations. While the purpose and intent of the bill as a whole have merit, I find objection to the aggregate amount of general obligation bond funds appropriated by House Bill No. 1 together with House Bill No. 387 (Judiciary Appropriations) and Senate Bill No. 4 (Capital Improvement Projects), exceeding by \$200,000 the total sum of general obligation bonds authorized to be issued by House Bill No. 5 to finance the projects authorized by the three bills. To bring the aggregate amount of general

obligation bond funds appropriated in balance with the total sum of general obligation bonds authorized, I have reduced the amount of general obligation bond funds appropriated in House Bill No. 1 by the excess \$200,000. The \$200,000 reduction by item veto has been made to the \$3,000,000 appropriated for fiscal year 1983-84 to the project adjustment fund in Part II and described in Part V of House Bill No. 1 (page 40, item no. K.1, which, among other things, appropriates \$3,000,000 to 'Office of the Governor, Investment: Capital'; and, page 135, item no. K.1, which describes the \$3,000,000 appropriation as being for the project adjustment fund). The foregoing reduction will decrease the fiscal year 1983-84 appropriation for the project adjustment fund to \$2,800,000.

For the foregoing reason, I am returning House Bill No. 1 with the reduction in the fiscal year 1983-84 appropriation for the project adjustment fund from \$3,000,000 to \$2,800,000, and with the concomitant reduction in total 1983-85 biennium appropriation for the project adjustment fund from \$6,000,000 to \$5,800,000.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

" P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 1, entitled 'A Bill for an Act Relating to the State Budget,' passed the legislature, was presented to the governor within the aforementioned period; and

WHEREAS, under Section 16 of Article III the Governor may veto or reduce any specific item or items in any bill which appropriates money for specific purposes; and

WHEREAS, House Bill No. 1 appropriates money for specific purposes; and

WHEREAS, a certain appropriation

item in House Bill No. 1 is unacceptable to the Governor of the State of Hawaii.

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16, of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 14th day of June,
1983.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 322 returning Senate Bill No. 450, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
Honolulu

June 14, 1983

STATEMENT OF OBJECTIONS TO
SENATE BILL NO. 450

Honorable Members
Twelfth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, entitled 'Relating to Condominium Management.'

The purpose of Senate Bill No. 450 is to prohibit resident managers, managing agents, and directors from voting or casting proxies for an apartment owner at any board meeting on any issue in which the manager, agent, or director has a conflict of interest.

Senate Bill No. 450 does not accomplish anything due to the fact that apartment owners vote only at association meetings and not at board meetings. Thus, it is impossible for a resident manager, managing agent, or director to vote for an apartment owner at a board meeting.

In view thereof, I feel that there is no necessity to enact this bill into law.

For the foregoing reasons, I am returning Senate Bill No. 450 without my approval.

Respectfully submitted,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, Senate Bill No. 450, entitled 'Relating to Condominium Management,' passed the legislature, was presented to the governor within the aforementioned period; and

WHEREAS, Senate Bill No. 450 does not accomplish anything due to the fact that it is impossible for a resident manager, managing agent, or director to vote for an apartment owner at a board meeting;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16, of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 450 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 14th day of June,
1983.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 323 returning House Bill No. 15, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
Honolulu, Hawaii

June 14, 1983

STATEMENT OF OBJECTIONS TO
HOUSE BILL NO. 15

Honorable Members
Twelfth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, House Bill No. 15, entitled 'A BILL FOR AN ACT RELATING TO RESTITUTION.'

The purpose of this bill is to allow the Family Court to make parents or guardians responsible and accountable for the behavior of their children.

Currently, Section 571-31.4 and Section 571-48, H.R.S., provide that if informal adjustment on diversion to a private or community agency or program has not been effected, the Family Court may require a child who has committed an offense to make monetary restitution to the victim or render community services as the court deems appropriate.

This bill amends Section 571-31.4 and Section 571-48, H.R.S., to make parents and guardians accountable for the child's action by providing the court with the authority to require parents and guardians to make restitution of money payments or services to the third person who was victimized by the child's action when the child fails to make the required restitution.

The Department of Budget and Finance, the Department of Social Services and Housing, the Department of the Attorney General, and the Judiciary have testified that the bill conflicts with the more specific mandate of H.R.S. §560:5-209 and have also noted that this bill will be a disincentive to persons willing to accept guardianships of minors. Additionally, it is foreseeable that the guardians and the State itself, which on occasion assumes custody of minors, may be liable to third parties where there has been no showing of negligence on the part of the guardian or the State and even where the guardian or State has made all reasonable efforts to supervise the ward.

For the foregoing reasons, I am returning H.B. No. 15 without my approval.

Respectfully submitted,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 15, entitled 'A Bill for an Act Relating to Restitution,' passed the legislature, was presented to the governor within the aforementioned period; and

WHEREAS, House Bill No. 15 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16, of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 15 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 14th day of June,
1983.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 324 returning House Bill No. 1562, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
Honolulu, Hawaii

June 14, 1983

STATEMENT OF OBJECTIONS TO
HOUSE BILL NO. 1562

Honorable Members
Twelfth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, House Bill No. 1562, entitled 'A Bill for an Act Relating to the Effect of Finding of Unfitness to Proceed.'

The purpose of this bill is to provide that a defendant who is unfit

to proceed with trial, and who is charged with one or more misdemeanors, or with one or more felonies not involving violence or attempted violence against the person of another, shall be confined in the least restrictive environment and shall not be confined in a hospital unless such confinement is necessary to effectuate his treatment.

The bill further provides that within 14 days of the order of commitment a determination shall be made whether the defendant will be able, through treatment or medication, to proceed with trial. If a defendant is charged with a felony involving violence or attempted violence against the person of another, he may be released, continue under his commitment, or be civilly committed, if he is not able to proceed after three years.

However, the omission of a comma after the word 'misdemeanors in the third sentence of new subsection 704-406 (2) would eliminate defendants charged with violent misdemeanors from the provisions of that subsection. It appears the omission was inadvertent, and is clearly counter to the expressed intent of the legislature. In addition, it appears likely that this unintended result would be in conflict with the equal protection provisions of both the United States and Hawaii Constitutions in that the subsection would unfairly discriminate against this particular class of defendants.

Secondly, the wording of the last sentence in new subsection 704-406 (2) is ambiguous and could be interpreted as mandating the release of defendants who are charged with violent felonies who are still unfit to stand trial. The risk to the safety of the people of this state by such an interpretation is much too great to allow the bill to become law as written.

For the foregoing reasons, I am returning House Bill No. 1562 without my signature.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a

proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 1562, entitled 'A Bill for an Act Relating to the Effect of Finding of Unfitness to Proceed,' passed the legislature, was presented to the governor within the aforementioned period; and

WHEREAS, House Bill No. 1562 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16, of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1562 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 14th day of June,
1983.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 325 informing the Senate that he signed the following bills into law on the dates indicated:

June 11, 1983:

Senate Bill No. 343 as Act 255,
entitled: "RELATING TO THE
COMPENSATION OF PUBLIC
OFFICERS AND EMPLOYEES";

House Bill No. 182 as Act 256,
entitled: "RELATING TO THE
SCHOOL PRIORITY FUND";

House Bill No. 208 as Act 257,
entitled: "RELATING TO GRADES
AND STANDARDS";

House Bill No. 209 as Act 258,
entitled: "RELATING TO
REGULATION OF DEALERS IN
FARM PRODUCE";

House Bill No. 239 as Act 259,
entitled: "RELATING TO
ABOLISHMENT OF THE
PREMARITAL EXAMINATION FOR
SYPHILIS";

House Bill No. 245 as Act 260,
entitled: "RELATING TO

HEALTH";

House Bill No. 274 as Act 261,
entitled: "RELATING TO THE
HAWAII MOTOR VEHICLE
ACCIDENT REPARATIONS ACT";

House Bill No. 1190 as Act 262,
entitled: "MAKING AN
APPROPRIATION FOR EMERGENCY
FARM LOANS"; and

House Bill No. 1528 as Act 263,
entitled: "RELATING TO
WORKERS' COMPENSATION
INSURANCE."

June 13, 1983:

Senate Bill No. 605 as Act 264,
entitled: "RELATING TO SCHOOL
HEALTH SERVICES";

House Bill No. 713 as Act 265,
entitled: "RELATING TO
CORPORATIONS";

House Bill No. 1496 as Act 266,
entitled: "RELATING TO THE
INTAKE SERVICE CENTERS";

House Bill No. 1050 as Act 267,
entitled: "RELATING TO
FIREARMS";

House Bill No. 1088 as Act 268,
entitled: "RELATING TO
GASOLINE DEALERS";

House Bill No. 817 as Act 269,
entitled: "RELATING TO THE
HOUSING LOAN AND MORTGAGE
PROGRAM";

House Bill No. 314 as Act 270,
entitled: "RELATING TO THE
HAWAII HOUSING AUTHORITY";

House Bill No. 1028 as Act 271,
entitled: "RELATING TO
AUTHORITY OF THE GOVERNOR
DURING DISASTER";

House Bill No. 1237 as Act 272,
entitled: "RELATING TO BICYCLE
LICENSES"; and

House Bill No. 393 as Act 273,
entitled: "RELATING TO
AGRICULTURAL LANDS."

Gov. Msg. No. 326 informing the Senate that on June 14, 1983, he signed the following bills into law:

Senate Bill No. 757 as Act 274,
entitled: "RELATING TO
CONTRACTORS";

House Bill No. 1402 as Act 275,
entitled: "RELATING TO THE

CONTRACTORS LICENSE BOARD";

House Bill No. 658 as Act 276,
entitled: "RELATING TO
ENGINEERS, ARCHITECTS, AND
SURVEYORS";

Senate Bill No. 806 as Act 277,
entitled: "RELATING TO PAYMENT
FOR GOODS AND SERVICES";

House Bill No. 1018 as Act 278,
entitled: "RELATING TO
INTERNATIONAL BANKING
FACILITIES";

House Bill No. 866 as Act 279,
entitled: "RELATING TO THE
UNAUTHORIZED REMOVAL OF
SHOPPING DEVICES";

House Bill No. 114 as Act 280,
entitled: "RELATING TO
HEMOPHILIA";

House Bill No. 1557 as Act 281,
entitled: "RELATING TO
RESPONSIBILITY AND FITNESS OF
DEFENDANT";

House Bill No. 890 as Act 282,
entitled: "RELATING TO CHILD
PASSENGER RESTRAINTS";

Senate Bill No. 4 as Act 283,
entitled: "RELATING TO CAPITAL
IMPROVEMENT PROJECTS AND
MAKING APPROPRIATIONS
THEREFOR";

Senate Bill No. 236 as Act 284,
entitled: "RELATING TO
INFORMED CONSENT";

Senate Bill No. 904 as Act 285,
entitled: "RELATING TO FAIR
DEALERSHIP PRACTICES";

Senate Bill No. 1251 as Act 286,
entitled: "RELATING TO
CONVEYANCE TAX";

House Bill No. 5 as Act 287,
entitled: "RELATING TO STATE
BONDS";

House Bill No. 322 as Act 288,
entitled: "RELATING TO
PATERNITY STATUTE OF

LIMITATIONS";

House Bill No. 340 as Act 289,
entitled: "RELATING TO
ACUPUNCTURE PRACTITIONERS";

House Bill No. 351 as Act 290,
entitled: "RELATING TO
DEFERRED ACCEPTANCE OF NOLO
CONTENDERE PLEAS";

House Bill No. 387 as Act 291,
entitled: "RELATING TO THE
JUDICIARY";

House Bill No. 1243 as Act 292,
entitled: "RELATING TO LIQUOR
LICENSES";

House Bill No. 1587 as Act 293,
entitled: "RELATING TO
INTOXICATING LIQUOR";

House Bill No. 601 as Act 294,
entitled: "RELATING TO MOTOR
VEHICLE EQUIPMENT";

Senate Bill No. 735 as Act 295,
entitled: "RELATING TO PUBLIC
ACCOUNTANCY";

Senate Bill No. 903 as Act 296,
entitled: "RELATING TO
GEOHERMAL ENERGY";

Senate Bill No. 977 as Act 297,
entitled: "RELATING TO SOCIAL
SERVICES";

House Bill No. 722 as Act 298,
entitled: "RELATING TO DUTIES
OF SUPERINTENDENT";

House Bill No. 1531 as Act 299,
entitled: "RELATING TO
WORKERS' COMPENSATION
INSURANCE";

House Bill No. 1505 as Act 300,
entitled: "RELATING TO THE
ISSUANCE OF SPECIAL PURPOSE
REVENUE BONDS" (Item Veto on
Page 3); and

House Bill No. 1 as Act 301,
entitled: "RELATING TO THE
STATE BUDGET" (Item Veto on
Pages 40 and 135).

HOUSE COMMUNICATIONS RECEIVED AFTER THE ADJOURNMENT
OF THE LEGISLATURE SINE DIE

House Communication No. 747:

Informing the Senate that the amendments proposed by the Senate to House Bill No. 3, H.D. 1, were agreed to by the House and H.B. No. 3, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 22, 1983.

House Communication No. 748:

Informing the Senate that the amendments proposed by the Senate to House Bill No. 6, H.D. 1, were agreed to by the House and H.B. No. 6, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 22, 1983.

House Communication No. 749:

Informing the Senate that the amendments proposed by the Senate to House Bill No. 80, H.D. 1, were agreed to by the House and H.B. No. 80, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 22, 1983.

House Communication No. 750:

Informing the Senate that the amendments proposed by the Senate to House Bill No. 268, H.D. 2, were agreed to by the House and H.B. No. 268, H.D. 2, S.D. 2, passed Final Reading in the House of Representatives on April 22, 1983.

House Communication No. 751:

Informing the Senate that the amendments proposed by the Senate to House Bill No. 338, H.D. 1, were agreed to by the House and H.B. No. 338, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 22, 1983.

House Communication No. 752:

Informing the Senate that the amendments proposed by the Senate to House Bill No. 765 were agreed to by the House and H.B. No. 765, S.D. 1, passed Final Reading in the House of Representatives on April 22, 1983.

House Communication No. 753:

Informing the Senate that the amendments proposed by the Senate to House Bill No. 1151, H.D. 2, were agreed to by the House and H.B. No. 1151, H.D. 2, S.D. 2, passed Final

Reading in the House of Representatives on April 22, 1983.

House Communication No. 754:

Informing the Senate that the amendments proposed by the Senate to House Bill No. 1399, H.D. 2, were agreed to by the House and H.B. No. 1399, H.D. 2, S.D. 2, passed Final Reading in the House of Representatives on April 22, 1983.

House Communication No. 755:

Informing the Senate that the amendments proposed by the Senate to House Bill No. 1401, H.D. 1, were agreed to by the House and H.B. No. 1401, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 22, 1983.

House Communication No. 756:

Informing the Senate that the amendments proposed by the Senate to House Bill No. 1505, H.D. 1, were agreed to by the House and H.B. No. 1505, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 22, 1983.

House Communication No. 757:

Informing the Senate that the amendments proposed by the Senate to House Bill No. 1568 were agreed to by the House and H.B. No. 1568, S.D. 1, passed Final Reading in the House of Representatives on April 22, 1983.

House Communication No. 758:

Informing the Senate that the amendments proposed by the Senate to House Bill No. 1621, H.D. 1, were agreed to by the House and H.B. No. 1621, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 22, 1983.

House Communication No. 759:

Returning Senate Bill No. 891, S.D. 2, which passed Third Reading in the House of Representatives on April 22, 1983.

House Communication No. 760:

Informing the Senate that the following conference drafts passed Final Reading in the House of Representatives on April 21, 1983:

House Bill No.

659, S.D. 1, C.D. 1;
 278, H.D. 1, S.D. 1, C.D. 1;
 502, H.D. 2, S.D. 2, C.D. 1;
 1232, H.D. 1, S.D. 1, C.D. 1;
 621, H.D. 1, S.D. 1, C.D. 1;
 1417, H.D. 1, S.D. 1, C.D. 1;
 1562, H.D. 1, S.D. 1, C.D. 1;
 1266, H.D. 1, S.D. 1, C.D. 1;
 1557, S.D. 1, C.D. 1;
 535, S.D. 1, C.D. 1;
 1620, H.D. 1, S.D. 1, C.D. 1;
 844, H.D. 1, S.D. 1, C.D. 1;
 663, H.D. 2, S.D. 1, C.D. 1;
 1102, H.D. 1, S.D. 1, C.D. 1;
 1587, H.D. 1, S.D. 1, C.D. 1;
 286, H.D. 2, S.D. 1, C.D. 1;
 274, H.D. 1, S.D. 1, C.D. 1;
 1434, H.D. 1, S.D. 1, C.D. 1;
 800, S.D. 1, C.D. 1;
 291, H.D. 1, S.D. 1, C.D. 1;
 467, H.D. 1, S.D. 1, C.D. 1;
 390, H.D. 1, S.D. 1, C.D. 1;
 1342, H.D. 1, S.D. 1, C.D. 1;
 992, H.D. 2, S.D. 2, C.D. 1;
 915, S.D. 1, C.D. 2;
 1567, H.D. 2, S.D. 1, C.D. 1;
 809, H.D. 1, S.D. 2, C.D. 1;
 901, H.D. 1, S.D. 1, C.D. 1;
 753, S.D. 1, C.D. 1; and
 1018, H.D. 2, S.D. 2, C.D. 1.

Senate Bill No.

236, S.D. 1, H.D. 1, C.D. 1;
 55, S.D. 1, H.D. 1, C.D. 1;
 180, S.D. 1, H.D. 1, C.D. 1;
 735, S.D. 1, H.D. 1, C.D. 1;
 1254, H.D. 1, C.D. 1;
 1050, H.D. 1, C.D. 1;
 133, S.D. 1, H.D. 1, C.D. 1;
 1003, S.D. 1, H.D. 1, C.D. 1;
 450, S.D. 1, H.D. 1, C.D. 1;
 191, S.D. 1, H.D. 1, C.D. 1;
 181, S.D. 1, H.D. 1, C.D. 1;
 569, S.D. 1, H.D. 1, C.D. 1;
 1105, H.D. 1, C.D. 1;
 631, S.D. 1, H.D. 1, C.D. 1;
 1122, S.D. 2, H.D. 2, C.D. 1;
 80, S.D. 1, H.D. 1, C.D. 1;
 247, S.D. 1, H.D. 1, C.D. 1;
 711, S.D. 1, H.D. 1, C.D. 1;
 1338, S.D. 2, H.D. 2, C.D. 1;
 904, S.D. 1, H.D. 1, C.D. 1;
 555, S.D. 2, H.D. 2, C.D. 1;
 800, S.D. 1, H.D. 1, C.D. 1;
 1247, S.D. 1, H.D. 1, C.D. 1; and

787, S.D. 1, H.D. 1, C.D. 1.

House Communication No. 761:

Informing the Senate that the following conference drafts passed Final Reading in the House of Representatives on April 21, 1983:

House Bill No.

966, H.D. 2, S.D. 1, C.D. 1;
 236, S.D. 2, C.D. 1;
 45, H.D. 2, S.D. 2, C.D. 1;
 670, H.D. 1, S.D. 2, C.D. 1;
 225, H.D. 1, S.D. 1, C.D. 1;
 314, S.D. 2, C.D. 1;
 337, H.D. 1, S.D. 1, C.D. 1;
 387, H.D. 2, S.D. 2, C.D. 1;
 1190, H.D. 2, S.D. 2, C.D. 1;
 5, H.D. 1, S.D. 1, C.D. 1;
 1, H.D. 1, S.D. 1, C.D. 1;
 702, H.D. 2, S.D. 2, C.D. 1;
 1119, H.D. 2, S.D. 1, C.D. 1; and
 393, H.D. 2, S.D. 2, C.D. 1.

Senate Bill No.

903, S.D. 1, H.D. 2, C.D. 1;
 834, S.D. 1, H.D. 2, C.D. 1;
 4, S.D. 1, H.D. 1, C.D. 1;
 994, S.D. 1, H.D. 1, C.D. 1;
 1279, S.D. 2, H.D. 2, C.D. 2;
 1062, S.D. 2, H.D. 2, C.D. 1;
 937, S.D. 1, H.D. 1, C.D. 1; and
 30, S.D. 2, H.D. 1, C.D. 1.

House Communication No. 762:

Returning Senate Concurrent Resolution No. 119, which was adopted by the House of Representatives on April 22, 1983.

House Communication No. 763:

Returning Senate Concurrent Resolution No. 47, S.D. 1, which was adopted by the House of Representatives on April 22, 1983.

House Communication No. 764:

Returning Senate Concurrent Resolution No. 82, which was adopted by the House of Representatives on April 22, 1983.

DEPARTMENTAL COMMUNICATIONS RECEIVED AFTER ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Dept. Com. No. 35 from Mary G.F. Bitterman, Director, Department of Commerce and Consumer Affairs, dated May 2, 1983, acknowledging receipt of Senate Resolution No. 145 (requesting coordinated efforts in ensuring compliance of unlicensed contractors with the Hawaii Revised Statutes).

Dept. Com. No. 36 from Mary G.F. Bitterman, Director, Department of Commerce and Consumer Affairs, dated May 2, 1983, acknowledging receipt of Senate Resolution No. 39 (relating to the coordination of services to native Hawaiians).

Dept. Com. No. 37 from Mary G.F. Bitterman, Director, Department of Commerce and Consumer Affairs, dated May 2, 1983, acknowledging receipt of Senate Resolution No. 51 (requesting the study of a residential property transfer code).

Dept. Com. No. 38 from Mary G.F. Bitterman, Director, Department of Commerce and Consumer Affairs, dated May 2, 1983, acknowledging receipt of Senate Resolution No. 122 (requesting a study on the advisability of establishing a board under the Department of Commerce and Consumer Affairs to license physical therapists and physical therapist assistants and regulate the practice of physical therapy).

Dept. Com. No. 39 from Charles G.

Clark, Director of Health, dated May 4, 1983, acknowledging the receipt of Senate Resolution No. 107 (urging the Environmental Protection Agency and the Hawaii State Department of Health to relax water quality standards for sugar producers on Hawaii's Hilo-Hamakua Coast) and stating that the federal government is the proper agency in dealing with effluent standards.

Dept. Com. No. 40 from Donald Ching, Acting Director, Department of Commerce and Consumer Affairs, dated May 18, 1983, acknowledging receipt of Senate Resolution No. 57 (requesting the Department of Commerce and Consumer Affairs to review the general service practices of T.V. Systems, Inc.).

Dept. Com. No. 41 from Donald Ching, Acting Director, Department of Commerce and Consumer Affairs, dated May 18, 1983, acknowledging receipt of Senate Resolution No. 66 (requesting an interim study on defaults on agreements of sale).

Dept. Com. No. 42 from Bartholomew A. Kane, State Librarian, Department of Education, dated May 9, 1983, acknowledging receipt of Senate Resolution No. 116 (relating to the establishment of a public library portastucture in the Moanalua-Salt Lake area).

MISCELLANEOUS COMMUNICATIONS RECEIVED AFTER ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Misc. Com. No. 8 from the Honorable Daniel K. Inouye, United States Senator, dated May 5, 1983, acknowledging receipt of Senate Resolution No. 73, regarding the revised dairy price support program authorized by the Omnibus Budget Reconciliation Act of 1982, responding thereto, and forwarding a copy of a reply from the U.S. Department of Agriculture, dated October 29, 1982, of his earlier inquiry on the matter.

Misc. Com. No. 9 from the Honorable Daniel K. Inouye, United States Senator, dated May 9, 1983, acknowledging receipt of Senate Concurrent Resolution No. 47, requesting the Departments of Defense and Transportation to give due and careful consideration to the feasibility of making a military airfield on Oahu available for joint civilian and military use in its September 1983 report to Congress.

Misc. Com. No. 10 from the Honorable Daniel K. Inouye, United States Senator, dated May 11, 1983, acknowledging receipt of Senate Resolution 84, requesting the United States to prohibit the export of unregistered pesticides.

Misc. Com. No. 11 from Ray F. Voelkel, Acting Deputy Administrator, Program Planning and Development, U.S. Department of Agriculture, dated May 16, 1983, acknowledging receipt of Senate Resolution No. 73, requesting the exemption of Hawaii from the federal law assessing dairy farmers moneys from the gross proceeds for each 100 pounds of milk marketed commercially to offset the nationwide milk surplus, and responding thereto.

Misc. Com. No. 12 from Richard A. McDougal, Chairman, Farm Credit Banks of Sacramento, dated May 17, 1983, acknowledging receipt of Senate Resolution 102, recognizing the financial plight of Hawaii's farmers and requesting lending institutions to implement measures to defer or reduce the repayment amounts of loans made to certain farmers, and responding thereto.

Misc. Com. No. 13 from Paul L. Galis, Director, Office of Airport Planning and Programming, Federal Aviation Administration, dated May 17, 1983, acknowledging receipt Senate Concurrent Resolution No. 47, requesting the Departments of Defense and Transportation to give due and careful consideration to the feasibility of making a military airfield on Oahu available for joint civilian and military use in its September 1983 report to Congress, and responding thereto.

Misc. Com. No. 14 from the Honorable Patsy T. Mink, Chair, City Council, City and County of Honolulu, dated May 24, 1983, acknowledging receipt of Senate Resolution No. 63, requesting the Governor's Small Business Advisory Committee to assess the state's contracting of public services from the private sector, and responding thereto.

Misc. Com. No. 15 from the Honorable Patsy T. Mink, Chair, City Council, City and County of Honolulu, dated May 26, 1983, acknowledging receipt of Senate Resolution No. 33, requesting the removal of K-POI radio tower from Kalihi Valley, and responding thereto.

Misc. Com. No. 16 from Al Haslebacher, Acting Assistant Administrator, Farmer Programs, U.S. Department of Agriculture, dated May 26, 1983, responding to Senate Resolution No. 102, recognizing the financial plight of Hawaii's farmers and requesting lending institutions to implement measures to defer or reduce the repayment amounts of loans made to certain farmers.

Misc. Com. No. 17 from Edwin L. Johnson, Director, Office of Pesticide Programs, U.S. Environmental Protection Agency, dated June 3, 1983, acknowledging receipt of Senate Resolution No. 84, requesting the United States to prohibit the export of unregistered pesticides, responding thereto, and forwarding a copy of an EPA position paper.

RULES OF THE SENATE

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RULES OF THE SENATE
of the
TWELFTH LEGISLATURE OF THE STATE OF HAWAII

The following Rules shall be the Rules of the Senate of the Twelfth Legislature of the State of Hawaii.

PART I. ORGANIZATION, OFFICERS AND EMPLOYEES

Rule 1. Organization

When the Senate convenes, the President or the Vice-President, in the absence of the President, shall call the Senate to order and appoint a Committee of three whose duty it shall be to immediately examine the credentials of the members-elect of the Senate. If from the Committee report, it shall appear that a majority of the credentials are in order, the Senate shall proceed to organize and shall appoint a Committee of three to wait upon a justice of the Supreme Court, an Intermediate Appellate Court judge or a Circuit Court judge to administer the oath of office required by the Constitution. Such proceedings need not be on the day of convening in the Senate. In the absence of the President or Vice-President the Senate may elect a temporary Presiding Officer by a majority vote of the members of the Senate.

Rule 2. Officers and Employees

(1) The officers of the Senate shall consist of a: President, Vice-President, Clerk, Assistant Clerk and Sergeant-at-Arms, each of whom shall be elected by a majority vote of the members of the Senate.

(2) The President and Vice-President shall hold their respective offices in accordance with Title 3, Hawaii Revised Statutes. Other officers and employees shall hold their respective offices and positions at the pleasure of the Senate, but a majority vote of the members of the Senate shall be required to terminate the office held by any officer of the Senate.

(3) The Senate, by a majority vote, may authorize positions from time to time as may be deemed necessary.

Rule 3. The President

It shall be the duty of the President:

(1) To open the meetings of the Senate by taking the Chair and calling upon the Chaplain to give the invocation.

(2) When a quorum is present, to call for the reading of the Journal of the preceding day.

(3) To maintain order in the Senate Chamber and to require proper decorum on the part of the members.

(4) To announce the business before the Senate in the order prescribed by the Rules.

(5) To receive and submit all matters properly brought before the Senate by the members, to call for votes upon the same and announce the results.

(6) To receive all communications and present them to the Senate.

(7) To appoint all committees unless otherwise determined by the Senate.

(8) To authenticate by signature, all acts and doings of the Senate which require authentication.

(9) To make known rules of order when so requested and, subject to an appeal to the Senate, to decide all questions of order.

(10) To issue warrants, when so directed by the Senate, to carry into effect its orders in the arrest of offenders, the summoning of witnesses, or other orders of the Senate.

(11) To decide and announce the result of any vote taken.

(12) To do and perform such other duties as are required by law or by these rules or such as may properly pertain to such office.

(13) To clear the Senate Chamber of all persons, except its members and designated persons if there is a disturbance or disorderly conduct, or on motion duly adopted.

(14) To control and have direction of the rooms, desks, passages, stairways, corridors, balconies, in and about the building set apart for the use of the Senate and all public property of the Senate. The President shall see that all officers of the Senate perform their respective duties, and may assign places to visitors and reporters. The President may admit stenographers or other reporters, wishing to take down the debates, and assign them such places to effect their object as shall not interfere with the convenience of the Senate.

(15) To establish final dates for action on legislation, including, though not limited to the final date for introducing bills after the nineteenth legislative day and prior to the mandatory recess pursuant to Article III, Section 12, of the Constitution, the final date for third reading of Senate Bills, the final date for third reading of House Bills, the final date for approving Conference Committee agreements and drafts of bills, the final date for final reading of the General Appropriations Bill, and the final date for final reading of the Supplemental Appropriations Bill. The President shall coordinate the date for introducing bills and may coordinate with the Speaker of the House to establish the other final dates.

(16) To promulgate an administrative and financial manual of guides, the purpose of which is to establish uniformity in administrative practices and to ensure compliance with Senate Policies.

Rule 4. The Vice-President

In the absence of the President, the Vice-President shall exercise all the duties and powers of the President.

Rule 5. President Pro Tempore

(1) In case the President and Vice-President shall be absent at the hour to which the Senate had adjourned, the eldest member present shall preside until a President pro tempore be chosen.

(2) The President pro tempore shall be invested with all of the powers and shall perform all the duties of the President. Whenever the President pro tempore is required to sign a bill or other instrument, the Clerk shall attach to such bill or other instrument a certificate stating that such President pro tempore was duly elected and is authorized to so sign.

Rule 6. The Clerk

It shall be the duty of the Clerk:

(1) To have charge of all records of the Senate and be responsible for the same. At no time shall the Clerk permit original documents to be withdrawn from the Clerk's keeping unless ordered by the Senate.

(2) To make a concise and complete memorandum of all petitions, motions, resolutions, amendments and other matters brought before the Senate. Such memoranda shall state the nature of the matter and the name of the introducer, and the date and day of the session on which the Senate considered the matter. The memoranda, together with other matters ordered to be placed therein, shall constitute the Journal, a copy of which shall be placed on the desk of each member on the following session day. The Journal of each day shall be read the following day, immediately after the Chaplain retires. When such Journal is approved by vote of the Senate, it shall be entered by the Clerk in a book entitled "Journal of the Senate. Session of . ." (Giving the Year).

(3) Unless otherwise directed by the Senate, to read all bills, resolutions and other matters (if so required) to the Senate.

(4) To forward at once all letters, messages, communications and other matters to the proper parties.

(5) To immediately deliver to the Chairman of the appropriate committee all petitions, resolutions, bills or other matters duly referred to such committee.

(6) To see that all bills and resolutions are properly engrossed and are correct and true as finally acted upon by the Senate.

(7) To draw such drafts on the state general fund for expenses of the session as shall be authorized by the Senate and approved by the Committee on Legislative Management.

(8) To pay all bills and accounts as shall be approved by the Committee on Legislative Management, or ordered by the Senate, and no others.

(9) To be responsible for the acquisition and distribution of all of the property of the Senate.

(10) To note all questions of order with the decision thereon and collect the same and append them to the Senate Journal at the close of the session.

(11) To perform all other clerical duties and functions pertaining to the Office of the Clerk and as the Senate from time to time shall direct. The Clerk shall post the order of business in writing in a conspicuous place each day.

Rule 7. Assistant Clerk

The Assistant Clerk shall assist the Clerk in the performance of all duties and attend to such other duties as may be required when so directed by the President. In the absence of the Clerk, the Assistant Clerk shall perform all duties of the Clerk.

Rule 8. Chaplain

A Chaplain shall attend each day's sitting of the Senate and open the same with an invocation.

Rule 9. Sergeant-at-Arms

It shall be the duty of the Sergeant-at-Arms to attend the Senate on every day of meeting; to maintain order among those present as spectators; to give notice to the Presiding Officer of the attendance of any person with communications or otherwise; to supervise the distribution of incidentals which require distribution among the members; to supervise, subject to the control of the President, the Senate Messengers; to attend upon committees if so requested; to serve all orders to process directed by the President or Senate; to make all required arrests of members or other persons, and to retain the same in custody; to have the charge and responsibility for the postal requirements of the Senate; and generally to execute all of the requirements of the President of the Senate.

Rule 10. Responsibility of Officers and Employees

The employees shall perform such duties as may be assigned by the President or prescribed by the Senate.

All officers and employees of the Senate shall be directly answerable to the President, and shall obey and perform all the President's orders and directions, subject to revision by the Senate. If required by the President, any officer or employee shall give a bond for the faithful performance of duties.

An oath of office shall be administered to each officer.

Rule 11. Pay of Members, Officers and Employees

(1) Each member of the Senate, upon being elected or appointed to office, shall receive as compensation such salary as prescribed pursuant to Article III, Section 9, of the State Constitution.

(2) The officers, except the President and Vice-President, and the employees shall receive compensation as the Senate shall fix.

PART II. COMMITTEES

Rule 12. Committees: Types and Composition

(1) Standing Committees: The membership of each Standing Committee and the respective Chairman and Vice-Chairman thereof shall be appointed by the President, subject to action by the Senate. The majority and minority parties shall be represented on all Standing Committees on such basis as prescribed by the Senate; provided that such basis be at least that of proportional representation. The nomination of the minority party members to all Standing Committees shall be made by the minority party.

(2) Special Committees shall consist of not less than three members each, unless otherwise ordered by the Senate, and shall be appointed by the President from time to time as occasion requires, to serve until discharged or finally reporting the specific matter referred.

(3) Conference Committees shall consist of not less than three members each, unless otherwise ordered by the Senate, and shall be appointed by the President from time to time as occasion requires, to serve until discharged or finally reporting the matter referred.

(4) The Committee of the Whole Senate.

Rule 13. Committee Chairman and Vice-Chairman

The first person named on the Committee shall be Chairman; the second member named shall be Vice-Chairman. The Chairman shall call meetings and preside.

Rule 14. Committees: Control and Excuse from Membership

Committees shall be under the control of and subject to the orders of the Senate, and shall faithfully carry out such orders. Any member may be excused from serving on any committee at the time of appointment, if such member is a member of four other committees.

Rule 15. Standing Committees

Standing Committees shall be appointed for each major subject matter area at the opening of the session, or as soon thereafter as possible, to serve during

the Twelfth Legislature. The major subject matter areas and the Standing Committees therefor shall be as follows:

EDUCATION AND CULTURE

This major subject matter area covers those programs which are intended to promote intellectual development and cultural enrichment of the community. The Standing Committees for this major subject matter area shall be:

- (1) Committee on Education, whose scope shall be those programs relating to lower education, continuing education and public libraries.
- (2) Committee on Higher Education, whose scope shall be those programs relating to the University of Hawaii and the community colleges.
- (3) Committee on Culture and Arts, whose scope shall be those programs relating to culture and arts.

HEALTH

This major subject matter area covers those programs which are intended to improve the physical and mental health of the people. The Standing Committee for this major subject matter area shall be:

- (4) Committee on Health, whose scope shall be those programs relating to general health, maternal and child care, communicable diseases, dental health, medical and hospital services, mental health, mental retardation and hospitals.

HUMAN AND ECONOMIC DEVELOPMENT

This major subject matter area covers those programs which are intended to ensure adequate income, housing and employment for individuals and families, to encourage the development and growth of industry, to promote improved employment conditions for government employees and to promote, enhance and conserve energy and energy-related natural resources. The Standing Committees for this major subject matter area shall be:

- (5) Committee on Human Resources, whose scope shall be those programs relating to employment opportunities, financial assistance, vocational rehabilitation, labor-management relations, social welfare services; and, to those programs relating to public employment concerning employee pay and benefits, employee recruitment, classification and training, career development, employee performance, employment conditions, standards of conduct for public employees and collective bargaining.
- (6) Committee on Economic Development, whose scope shall be those programs relating to land resources, nonagricultural use water resources, the promotion, enhancement, and conservation of nonagricultural energy-related natural resources, marine resource development, industrial and product promotion, new industry development, financial and technical assistance to business and the regulation of public utilities.
- (7) Committee on Agriculture, whose scope shall be those programs relating to agriculture, water resources for agricultural use and the promotion, enhancement and conservation of energy-related agricultural resources.
- (8) Committee on Tourism, whose scope shall be those programs relating to tourism.

- (9) Committee on Housing and Urban Development, whose scope shall be those programs relating to housing and urban development.
- (10) Committee on Hawaiian Programs, whose scope shall be those programs relating to Hawaiian Homes and the Office of Hawaiian Affairs.
- (11) Committee on Youth and Elderly Affairs, whose scope shall be those programs relating to the promotion of the general well-being of Hawaii's youth and elderly population.

HUMAN RIGHTS AND JUSTICE

This major subject matter area covers those programs which are intended to safeguard individual and property rights, protect consumers from fraudulent and deceptive practices, promote public safety and improve the conduct of business affairs. The Standing Committees for this major subject matter area shall be:

- (12) Committee on Judiciary, whose scope shall be those programs relating to courts, crime prevention and control, criminal code revisions, correction and rehabilitation, the rules of the Senate, judicial and legal questions, constitutional matters, programs of the Attorney General and of the Judiciary, individual rights and civil liberties, public defense and other pertinent matters referred to it by the Senate. In the event of a contest, it shall investigate and report upon the certificates of election of members. The committee shall consider all petitions and other matters relating to elections and returns referred to it by the Senate and report thereon.
- (13) Committee on Consumer Protection and Commerce, whose scope shall be those programs relating to the protection of the consuming public, business and trade regulation, regulation of financial institutions, insurance regulation and professional and occupational regulation.

ECOLOGY, ENVIRONMENT AND RECREATION

This major subject matter area covers those programs which are intended to promote conditions which enhance ecological balance, safeguard the environment, conserve natural resources and to provide recreational opportunities. The Standing Committee for this major subject matter area shall be:

- (14) Committee on Ecology, Environment and Recreation, whose scope shall be those programs relating to environment quality control, environmental health, outdoor recreation, state parks and historic sites development and protection.

GOVERNMENT OPERATIONS AND INTERGOVERNMENTAL RELATIONS

This major subject matter area covers those programs which are intended to promote government efficiency and effective cooperation and coordination among the various levels of government. The Standing Committee for this major subject matter area shall be:

- (15) Committee on Government Operations and County Relations, whose scope shall be those programs relating to government personal property management, archives, government communications, relations among the state and county governments, matters of primary concern to particular counties and the promotion of efficiency and economy in government.
- (16) Committee on Federal Relations, whose scope shall be those programs relating to military and civil defense and to relations between the federal and state governments.

TRANSPORTATION

This major subject matter area covers those programs which are intended to facilitate the physical movement of people and goods into and from the State and from place to place within the State. The Standing Committee for this major subject matter area shall be:

- (17) Committee on Transportation, whose scope shall be those programs relating to air, water and surface transportation.

FINANCIAL PLANNING AND MANAGEMENT

This major subject matter area covers those programs which are intended to produce the efficient, effective, economical and equitable acquisition and utilization of financial resources. The Standing Committee for this major subject matter area shall be:

- (18) Committee on Ways and Means, whose scope shall be those programs relating to overall state financing policies, including taxation and other revenues and cash and debt management and statewide implementation of planning, programming, budgeting and evaluation.

LEGISLATIVE SUPPORT

This major subject matter area covers those programs which are intended to provide to the legislature effective support for the accomplishment of legislative objectives and to promote understanding of the legislative process. The Standing Committee for this major subject matter area shall be:

- (19) Committee on Legislative Management, whose scope shall be those programs relating to the establishment and operations of legislative support agencies, such as the Office of the Legislative Auditor, the Ombudsman and the Legislative Reference Bureau.

Rule 16. Standing Committees: General Responsibility

It shall be the duty of each Standing Committee to conduct systematic review of those portions of the state budget, program and financial plans, and variance reports dealing with, and to consider all laws, bills, resolutions, petitions, reports and other matters relating to, those programs over which the committee has responsibility.

It shall examine such portions of the Executive Budget, the General Appropriations Bill and the Supplemental Appropriations Bill relating to the programs over which it has responsibility, and it shall recommend the programs and the levels of program expenditure to be included in the General Appropriations Bill or Supplemental Appropriations Bill. The level of expenditure, in the aggregate, for any program area shall be consistent with the expenditure allocation established for that program area by the Standing Committee on Ways and Means, which shall make the final recommendation to the Senate.

On other bills referred to it by the President, the committee shall determine objectives, make program recommendations and, where appropriate, make expenditure recommendations. On bills that have been referred by the President to more than one committee, subsequent referral committees shall make no substantive change without prior written notice of such change to the first referral committee and consultation and coordination with that committee, via its chairman, prior to the transmittal of the amended bill and committee report to the Clerk of the Senate for floor action. For those bills which require appropriations, the committee shall make expenditure recommendations consistent with the expenditure allocations established for the bills by the Standing Committee on Ways and Means, which shall make the final recommendation to the Senate, after consultation and coordination with the chairman of the subject matter committee.

It shall also be the duty of each Standing Committee to review the implementation of those programs over which the committee has responsibility. In its review, it shall determine the extent to which program objectives are being accomplished and legislative policies executed, recommend the study of program issues and the conduct of program analysis. It shall recommend amendments to appropriation acts and such policies as may be appropriate to improve the planning, programming, budgeting, implementation and evaluation of programs to the Standing Committee on Ways and Means, which shall make the final recommendation to the Senate.

Rule 17. Committee on Ways and Means: Special Responsibility

It shall be the duty of the Committee on Ways and Means, in considering the General Appropriations Bill or the Supplemental Appropriations Bill, to determine for each fiscal year of the biennium the appropriate level of total expenditures and the level of expenditures for program areas. The committee shall inform each Standing Committee of the allocations made to each program area over which the Standing Committee is responsible for budget and program review. The Committee on Ways and Means shall receive the program expenditure recommendations of the Standing Committee and shall review the recommendations to determine that, in the aggregate, the expenditure recommendations are consistent with the allocations made to the program area. In determining the allocation to be made to a program area and in reviewing the recommendations of the Standing Committee, the Committee on Ways and Means shall invite the participation of the chairman of the Standing Committee responsible for the program area. After review of the recommendations of the Standing Committees, the Committee on Ways and Means shall be responsible for preparing the General Appropriations Bill or the Supplemental Appropriations Bill in a form appropriate for consideration by the Senate.

In all other bills requiring appropriations, it shall be the duty of the Committee on Ways and Means to inform the Standing Committee responsible for the program area to which the appropriation relates of the amount and type of financial resources available, and it shall review the expenditure recommendation of the Standing Committee to determine that the recommendation is consistent with the resources available. In determining the amount and type of resources available for a bill requiring an appropriation and in reviewing the expenditure recommendation of the Standing Committee, the Committee on Ways and Means shall invite the participation of the chairman of the Standing Committee responsible for the program area to which the appropriation relates.

Rule 18. Committee on Legislative Management: Special Responsibility

The Committee on Legislative Management shall:

- (1) Make recommendations to the President on the procedures and manner in which the administrative and personnel operations of the Senate should be conducted.
- (2) Make recommendations on the expenses to be included in the appropriations bills providing for the expenses of the Legislature and procedures to ensure that the expenses of the Senate are in accordance with the appropriation acts providing therefor.

For administrative purposes, the committee may authorize the chairman to perform such duties on its behalf as it may deem appropriate.

Rule 19. Meetings of Committees

Meetings, including decision-making sessions, of Standing Committees shall be public provided that meetings in executive session may be allowed in such exceptional circumstances when committee discussion could unfairly damage the reputation of individuals or where there is a legal question concerning a bill. Notice of such meetings and decision-making sessions shall be publicly posted at least 48 hours prior to such meetings provided that the notice may be waived with the approval of the President upon good cause shown.

No committee shall sit during the time when the Senate is actually in session without first securing the approval of the President, except Conference Committees which may sit at any time.

As practicable, committees shall schedule their meetings at times and at places as are convenient for attendance by the general public, and in coordination with other committees of the House or Senate, shall endeavor to hold joint meetings and public hearings on matters of mutual interest.

The meetings of the Conference Committee shall be conducted as agreed upon by the members of the Conference Committee. Conference Committee meetings and decision-making sessions shall be public. Public notice of Conference Committee meetings shall be given to the extent practicable.

Rule 20. Committee Reports

(1) The Standing Committees shall report from time to time upon all matters referred to them.

(2) Special Committees shall report upon matters referred to them within the time permitted in the appointment of the Special Committee unless further time is given by vote of the Senate.

(3) A Conference Committee shall not report upon the matter referred unless a majority of the members appointed by the President have concurred in the report.

Rule 21. Committees: Factfinding and Content of Reports

(1) Whenever any matter shall be referred to a committee it shall be the duty of the committee to make diligent inquiry into all of the facts and circumstances connected with the matter. If necessary, witnesses shall be summoned or subpoenaed and examined under oath; documents and records shall be searched or subpoenaed, and everything shall be done to bring all facts pertaining to the matter before the Senate. The President may exercise such powers authorized under Chapter 21 of the Hawaii Revised Statutes, relating to the issuance of subpoenas, and the President, committee chairmen and other duly delegated members of the Senate may exercise such powers authorized under Chapter 21 aforesaid, relating to the administering of oaths, and the compelling of witnesses who have been subpoenaed to testify. All committee meetings held on matters referred to it by the Senate shall be open to the public unless otherwise ordered by the Senate or otherwise provided by these Rules.

(2) The report of the committee shall state findings of fact and conclusions based thereon, together with a distinct recommendation as to the disposal of that matter.

(3) A report upon a bill shall state clearly the amendments, if any, proposed. If a substitute bill for one or more referred to the committee shall be reported, such substitute bill shall agree with the subject of the bill or bills returned to the Senate.

(4) Whenever a committee fails to agree, the majority shall report and it shall be the report of the committee. The minority may report or simply write upon the report of the majority the words "I (or we) do not concur," signing the same. The final vote of each member of a committee upon any matter referred to it shall be recorded in the records of the committee.

(5) Whenever a draft report is circulated among the committee members for signature and fails to receive majority concurrence, such draft report shall be retained in the records of the committee and shall be open to the public.

Rule 22. Committee of the Whole

(1) The Senate from time to time may resolve itself into a Committee of the

Whole. Whenever any matter shall be referred to such committee upon the adoption of a motion to that effect, the President shall call some member to take the Chair (unless the Senate shall nominate a chairman), which being done, the Senate then shall be in committee.

(2) The Clerk of the Senate shall act as Clerk of the Committee of the Whole without extra compensation, and shall make a careful record of the proceedings, which shall be filed as one of the records of the Senate.

(3) The committee, on motion, may rise and ask leave to sit at any future time.

(4) When a bill shall be referred to the Committee of the Whole, the bill shall be first read throughout by the Clerk, and then again read and debated by sections, leaving the preamble to be the last but all amendments, noting the page and line, shall be duly entered by the Clerk on a separate paper, as the same shall be agreed to by the committee, and so reported. When a bill is ordered into Committee of the Whole, such order may dispense with the reading of the whole bill before considering it section by section.

(5) In Committee of the Whole, the rules of procedure in the Senate shall be observed except that any member may speak more than once on the same subject, but no person shall speak a second or further time until others desiring to speak shall have had an opportunity, nor shall the motion for the previous question be allowed. A time limit for debate may be fixed by vote.

PART III. SESSIONS; ATTENDANCE; NOMINATIONS

Rule 23. Meetings

(1) The Senate shall meet for the transaction of public business every day, except Saturdays, Sundays, legal holidays and such other days as the Senate shall designate by motion or resolution duly adopted and entered in the Journal.

(2) The regular hour of meetings of the Senate is established at ten o'clock a.m. but the hour of meeting, recess and adjournment for any day may be such as the Senate, by motion, shall decide from time to time.

Rule 24. Attendance

No member shall be absent from the sessions of the Senate unless given leave by the President or unless the member is sick and unable to attend.

Rule 25. Extension of Session

Two-thirds of the members to which the Senate is entitled, two-thirds of the House of Representatives concurring, may petition the President of the Senate and the Speaker of the House to extend any session of the Legislature. The petition shall read:

"To the President of the Senate and the
Speaker of the House of Representatives

Your petitioners, members of the Senate and of the House of Representatives of the _____ Legislature of the State of Hawaii, respectfully request an _____ extension of _____ days of the _____ session of _____ of the _____ Legislature of the State of Hawaii."

The petition shall be in writing, above the signatures of the members.

When the President of the Senate receives such a petition, and it is properly

signed by two-thirds of the members to which each house is entitled, the President and the Speaker of the House of Representatives shall jointly issue a proclamation extending the session for the number of days sought in the petition.

Rule 26. Recessed Session

Any session of the Legislature may be recessed by concurrent resolution adopted by a majority of the members to which each house is entitled. Each regular session shall be recessed pursuant to Article III, Section 10, of the Constitution for not less than five days at some period between the twentieth and fortieth days of the regular session.

Rule 27. Special Sessions

(1) Two-thirds of the members to which the Senate is entitled, two-thirds of the House of Representatives concurring, may petition the President of the Senate and the Speaker of the House to call a special session of the Legislature. The petition shall read:

"To the President of the Senate and the
Speaker of the House of Representatives

Your petitioners, members of the Senate and of the House of Representatives of the _____ Legislature of the State of Hawaii, respectfully request that a special session of the _____ Legislature of the State of Hawaii be convened at _____."

The petition shall be in writing, above the signatures of the members.

When the President of the Senate receives such a petition, and it is properly signed by two-thirds of the members to which each house is entitled, the President of the Senate and the Speaker of the House of Representatives shall jointly issue a proclamation convening the Legislature in special session at the time and place sought in the petition.

(2) Two-thirds of the members to which the Senate is entitled may petition the President of the Senate to call a special session of the Senate for the purpose of carrying out the Senate's responsibilities established by Article VI, Section 3, of the Constitution. The petition shall read:

"To the President of the Senate

Your petitioners, members of the Senate of the _____ Legislature of the State of Hawaii, respectfully request that a special session of the Senate of the State of Hawaii be convened at _____."

The petition shall be in writing, above the signatures of the members.

When the President of the Senate receives such a petition, and it is properly signed by two-thirds of the members to which the Senate is entitled, the President of the Senate shall issue a proclamation convening the Senate in special session at the time and place sought in the petition.

Rule 28. Adjournments

Meetings may be adjourned at any time. Unless otherwise specified in the motion, every adjournment shall be considered as being to the established hour of meeting on the following business day; but no adjournment shall be for more than three days, or sine die, without the consent of the House of Representatives.

Rule 29. Motion to Adjourn

A motion to adjourn is always in order, and shall be decided without debate. One motion to adjourn shall not follow another without intervening business.

A motion to adjourn without naming any time shall always be held as an adjournment to the regular hour of meeting of the next business day.

Rule 30. Quorum

For the transaction of business, a majority of the number of members to which the Senate is entitled shall constitute a quorum, of which quorum a majority vote shall suffice, but the final passage of a bill shall require the vote of the majority of the members of the Senate. A smaller number than a quorum may adjourn from day to day and compel the attendance of absent members. For the purpose of compelling the attendance of absent members, a majority of the members present, by resolution, may direct the Sergeant-at-Arms to place the members who are absent under arrest and to return them to the Senate. Any warrant pursuant to such a resolution shall be issued in the name of the Senate and shall be signed by the member then presiding. For the purpose of ascertaining whether there is a quorum present, the President shall count the members present.

Rule 31. Executive Session

(1) If the Senate considers it necessary to act confidentially upon any communication from the Governor or upon any nomination or other matter, it may go into executive session.

(2) When any member desires to make known any matter to the Senate which the member deems should be confidential and private, the member shall communicate that desire to the President who shall decide whether the Senate shall go into executive session. The Senate may decide whether the matter communicated shall be kept secret.

Rule 32. Clearing of the Senate

(1) When acting upon confidential business in executive session, the Senate Chambers shall be cleared of all persons except the members of the Senate and such other persons as the presiding officer with the consent of the Senate shall deem necessary.

(2) The members, officers and employees shall keep the secrets of the Senate and any other person whose presence is permitted in executive session shall be sworn to secrecy.

(3) All confidential communications made to the Senate, and remarks, votes and proceedings thereon, shall be kept strictly secret by the members, officers and employees, as well as by such other persons as have been detained or permitted to attend upon the consideration of such matters, until the Senate, by resolution, takes off such seal of secrecy, or unless such matter be later considered in open session.

Rule 33. Nominations; Appointments

(1) When nominations, except those of justices and judges, shall be made by the Governor to the Senate, unless otherwise ordered, they shall be referred to appropriate Standing Committees. The final question on every nomination shall be "Will the Senate advise and consent to this nomination?" which question shall not be put sooner than twenty-four hours from the time when the nomination is received, nor on the day in which it may be reported by a committee, unless by unanimous consent. Public hearings shall be held for all nominees prior to confirmation.

(2) The fact of a nomination, or its rejection or confirmation, need not be

kept secret, but when the Senate or any committee thereof shall deem it necessary for good cause, all remarks, proceedings and votes thereon shall be kept secret.

(3) Consent to the appointment of justices and judges shall be pursuant to Article VI, Section 3, of the State Constitution.

Rule 34. Meeting at Place Other than Capitol

Whenever, for any reason, the Governor shall convene the Senate at any place other than the Capitol, it shall attend together with all of its officers at the time and place ordered.

PART IV. ORDER OF BUSINESS

Rule 35. Order of Business: General

After invocation, roll call and the reading of the Journal, the President shall call for business in the following order:

- (1) Messages from the Governor.
- (2) Reports and communications from the state officers.
- (3) Communications, bills, resolutions and other matters from the House of Representatives.
- (4) Concurrent and senate resolutions and introduction of bills.
- (5) Reports of Conference and Joint Committees.
- (6) Reports of Committee on Legislative Management.
- (7) Reports of other Standing Committees.
- (8) Unfinished business, upon which the Senate was engaged at the time of its last adjournment.
- (9) The Order of the Day.
- (10) Petitions, memorials and miscellaneous communications.
- (11) Any miscellaneous business on the President's table.

Rule 36. Order of Business: Special

The Senate, by previous motion, may direct that any matter named shall be made a special order of business and that such special order shall take precedence of all business after the fourth order, or that it shall take any other position lower down on the calendar.

Rule 37. Order of Business: Committee Reports and Gubernatorial Messages

Reports from Conference or Joint Committees, and from the Committee on Legislative Management, shall be in order at all times after the second order of business, and, upon motion, messages from the Governor or from the House of Representatives may be received at any time. Without unanimous consent, however, such messages or reports shall not be in order for discussion when received, but shall be placed on the calendar as unfinished business.

Rule 38. Order of Business: Order of the Day

After the first seven orders of business (set forth in Rule 35), it shall be in order, pending consideration thereof, to move that the Senate proceed to dispose of the unfinished business or to the Order of the Day. If such motion be decided in the affirmative, such consideration shall immediately be taken up.

Rule 39. Order of Business: Unfinished Business

The unfinished business in which the Senate was engaged at the time of the last adjournment shall have the preference in the Order of the Day. Until the former is disposed of, no motion for any other business shall be received without special leave of the Senate.

Rule 40. Order of Business: Questions on Priority

All questions relating to the priority of business to be acted upon shall be decided without debate.

PART V. BILLS; RESOLUTIONS

Rule 41. Bills: Introduction

Any bill may be introduced on the report of a committee or by any member, except appropriation bills subject to the next paragraph and except short form bills which may only be introduced by the President of the Senate or the minority party leader after appropriate consultation with committee chairmen and other members of the Senate.

The Executive Budget, Judiciary Budget, Legislative Budget, General Appropriations Bill, Supplemental Appropriations Bill, Office of Hawaiian Affairs Budget, and bills for criminal injuries compensation, for claims against the State and for the funding of collective bargaining agreements may be introduced only by the President of the Senate or the minority party leader after appropriate consultation with committee chairmen and other members of the Senate. Each member may introduce only one bill appropriating money for capital improvement projects in the member's district. Individual members shall not introduce any other bill which is intended only to appropriate money or to authorize the issuance of any state bonds.

All bills shall be introduced under the order of resolutions.

Bills which shall carry over from a regular session in an odd-numbered year to the next regular session shall retain the numbers assigned to them. The Clerk shall keep a record of the status of all bills in possession of the Senate at the end of the odd-numbered year session and shall publish the record of the status of all such bills prior to the convening of the next regular session.

Every bill introduced or reported out of any committee, which amends an existing section or subsection of the Hawaii Revised Statutes or Session Laws of Hawaii, shall set forth the section or subsection in full, and the matter to be deleted shall be enclosed in brackets and any new matter added to the section or subsection shall be underscored. However, a Supplemental Appropriations Bill need not conform to this rule or an amending bill where the intent and effect of an amending bill can be clearly identified and understood without repeating the entire section or subsection, in which case only the paragraphs, subparagraphs, clauses or items to be amended need be set forth as the President may allow. The President may allow additional exceptions to this rule.

No floor amendment to a bill shall be voted upon unless a copy of such amendment shall have been presented to the Clerk who shall prepare and distribute copies of the amendment to each member of the Senate present.

Rule 42. Bills: Referral to Committee

(1) Upon introduction all bills shall be numbered by the Clerk in numerical sequence, shall bear an identification as a Senate Bill, unless they are short form bills, shall pass first reading and shall be referred to the Committee on Legislative Management.

(2) Upon receiving the report of the Committee on Legislative Management that a bill has been printed, each such bill shall be referred by the President to one or more appropriate Standing Committees for consideration.

(3) Each Standing Committee shall consider the bills referred to it as expeditiously as may be possible.

(4) Bills introduced in short form.

(a) If a majority of the committee to which a short form bill has been referred determines that such bill should receive the further consideration of the same committee or another committee in the same or in an amended form, it shall report that fact to the Senate, together with its recommendation that either: (1) the bill pass first reading by title and be referred again to the same or another committee for further consideration, or (2) the bill in an amended form pass first reading by title, be printed and be referred again to the same or another committee for further consideration.

(b) The form of the committee report, upon reporting such a bill to the Senate recommending its passage on first reading without amendment and for referral again to a committee for further consideration shall be substantially as follows:

Your Committee on _____, to which was referred S.B. No. _____ entitled _____ begs leave to report that your Committee has considered such Bill and recommends that it pass First Reading by title and be referred to the Committee on _____ for further consideration.

(c) The form of the committee report, upon reporting such a bill to the Senate recommending passage on first reading in an amended form and for referral again to a committee for further consideration shall be substantially as follows:

Your Committee on _____, to which was referred S.B. No. _____ entitled _____ begs leave to report that your Committee has considered such Bill and recommends that it pass First Reading by title, in the amended form attached hereto, be printed and be referred to the Committee on _____ for further consideration.

Rule 43. Bills: Required Readings

No bill shall pass the Senate unless it shall have passed three readings in the Senate on separate days. The President shall give notice in each instance whether it be the first, second or third reading.

Rule 44. Bills: First Reading

(1) The first reading of a bill shall be for information. If opposition be made to it, the question shall be: "Shall this bill be rejected?" which question may be debated. But no one shall speak more than once upon such question, except the introducer of the bill, who may close the debate.

(2) If the question to reject be negative, the bill shall go to its second reading without question.

Rule 45. Bills: Second Reading

A bill upon its second reading, may be read by its title only. It then shall be subject to a motion to commit. If it is not referred to a Standing Committee, or to a Special Committee, but is ordered to be considered in Committee of the Whole, a day for such consideration shall be determined by the chairman of such committee. When the bill shall be reported from committee it shall take its place in the order of business for future consideration.

Rule 46. Bills: Third Reading

(1) No bill shall pass third or final reading in the Senate unless printed copies of the bill in the form to be passed have been made available to the members of the Senate for at least 48 hours. Form to be passed means the form in which a bill is to be (a) passed on third reading in the Senate, (b) concurred to by the Senate after amendments have been made by the House, or (c) passed by the Senate after a Conference Committee has agreed upon it.

(2) A Bill on its third or final reading may be read by its title only, and the President then shall ask the Senate: "Shall this bill pass its third reading?" or "Shall this bill pass its final reading?" as the case may be. Upon the final passage of any bill, the Ayes and Noes shall be called. Such passage shall require the affirmative vote of a majority of all the members of the Senate and the Ayes and Noes shall be entered on the Journal.

Rule 47. Bills: Property of Senate

All bills introduced in the Senate shall be deemed the property of the Senate and under its control unless they shall become law, however subject to the right of the House of Representatives to amend or to refuse to agree with the bills.

Any bill pending at the final adjournment of a regular session in an odd-numbered year shall carry over with the same status to the next regular session; provided that if such bill shall have passed third reading in the Senate in an odd-numbered session, it shall pass at least one reading in the Senate in the next regular session upon its return to the Senate from the House.

Rule 48. Bills: Recall from Committee

Twenty days after a bill has been referred to a committee, the same may be recalled from such committee by the affirmative vote of one-third of the members of the Senate.

Rule 49. Matters Tabled

When a bill or resolution or other matter has been laid upon the table, it shall not thereafter be taken from the table and be considered or restored to a place upon the calendar of the Senate without the consent of a majority.

Rule 50. Bills: Amendments

All amendments proposed to any bill shall be in writing, unless otherwise ordered by the Senate, and shall be sent to the Clerk's desk to be filed with the bill.

Rule 51. Bills: Certification

When a bill is passed it shall be certified by the Clerk who shall note the day of its passage at the bottom of the last page of the bill.

Rule 52. Bills: Received from House of Representatives

Whenever a bill which has finally passed the House of Representatives shall be certified to the Senate for its action, such bill shall be read three times before final passage, in accordance with the provision of the rules for the passage of bills introduced in the Senate.

Rule 53. Bills: Transmittal to House of Representatives

When a bill originating in the Senate shall have passed its third reading, or when a bill originating in the House which has been received from the House shall have been amended, or when a carry-over bill from an odd-numbered year originating in the House passes its third reading in the Senate in an even-numbered year session, such bill or such amended bill shall immediately be certified by the President and Clerk and sent to the House of Representatives for its consideration.

Rule 54. Bills: Correction to Errors

When a bill has passed both the Senate and the House of Representatives and an error in it is discovered prior to its having received the approval of the Governor, the bill may be returned by Concurrent Resolution to the House last considering the bill for proper correction.

Rule 55. Bills: Order of Consideration

(1) The Clerk shall send bills that have passed first reading to be printed immediately. When they have been printed and circulated to the members of the Senate, the President shall refer them to the various committees. When the committees have considered them and reported on them, the committees shall return them to the Clerk, and the Clerk shall place them in the Second Reading File. The Senate shall consider them in the order in which they appear in the Second Reading File.

(2) The Clerk shall arrange bills that have passed second reading in the order of their passage on second reading, regardless of the date of their reference to committee or the date of the committee report on them. The Clerk shall place them on the Third Reading File in the order in which they passed second reading and the Senate shall consider them on third reading in that same order. However, if the third reading of a bill is set for some particular date, that bill shall be removed from the Third Reading File.

Rule 56. Bills: Special Order of Consideration

All bills and other matters set for consideration on particular dates, shall be arranged in the order of the several votes making such assignments. A list shall be made of such special orders, and when the time for consideration arrives, such bills and other matters shall be considered in the order of assignment. If an adjournment shall be had before all of such special orders are disposed of, the remainder shall go over and come under the head of unfinished business on the following day, unless otherwise ordered.

PART VI. RESOLUTIONS; MOTIONS

Rule 57. Resolutions and Motions: Form

All resolutions shall be written in ink or typewritten, dated and signed by the introducer, otherwise they shall not be considered. The Senate shall not introduce any congratulatory or memorial resolution but shall express the sentiment contained in such resolutions by means of a suitable certificate signed by not less than one-half of its members. Motions and amendments may be verbal but shall be reduced to writing if requested by the President, and shall be read from the desk if so desired.

Rule 58. Motions: Second Required

No motion shall be received and considered by the Senate until the motion shall be seconded.

Rule 59. Motions: Disposition

After a motion is stated or read by the President, it shall be deemed to be in the possession of the Senate, and shall be disposed of by vote of the Senate; however, it may be withdrawn by the movant at any time before an amendment has been adopted or before the decision on the motion if not amended.

Rule 60. Motions Applicable to Pending Matters

Whenever any bill or resolution or other matter shall be under discussion, the only motions relative thereto shall be:

- (1) To lay upon the table,
- (2) To postpone to a certain time,
- (3) To postpone indefinitely,
- (4) To commit, and
- (5) To amend,

which motions shall have precedence in the order named.

The first two motions shall be decided without debate and shall be put as soon as made.

When any of the motions shall be decided in the negative, they shall not be revived the same day relative to the main question under discussion. If all are negative as aforesaid, the only remaining question shall be as to the adoption of the bill, resolution or other main question.

Rule 61. Matters Postponed Indefinitely

When a question is postponed indefinitely, the question shall not be acted upon again during the session in which it was introduced.

Rule 62. Motion for Previous Question

The object of the motion for the previous question is to cut off debate. It shall always be in order. It shall require a two-thirds vote to carry it.

Whenever the motion shall be carried, the author of the resolution or introducer of the bill under discussion shall be permitted to close the debate, after which the main question, subject to Rule 60, shall be put. The author or introducer may delegate to another such right to close.

Rule 63. Motion for Reconsideration

(1) When a motion has been once made and carried in the affirmative or negative, it shall not be in order for any member who voted in the minority to move for a reconsideration thereof; but any member who voted with the majority may move to reconsider it on the same or the succeeding day of session, or, with the consent of the Senate, on any subsequent day and such motion shall take precedence of all other questions, except a motion to adjourn.

(2) When a motion for reconsideration has been decided by vote, that vote shall not be reconsidered.

(3) When a bill or resolution or other matter upon which a vote has been taken shall have gone out of the possession of the Senate, and shall have been transmitted to the House of Representatives, a motion to reconsider shall be deemed to include a request to the House to return the same. If not complied

with by the House, then the vote on the motion to reconsider shall be set aside. If such motion shall pass, the Clerk shall promptly communicate to the House the request for return of the matter to be reconsidered.

PART VII. PETITIONS AND COMMUNICATIONS

Rule 64. Petitions, Memorials, and Miscellaneous Communications

(1) Any person may petition the Senate. Petitions and other memorials, except as provided in Rule 57, shall be in writing, signed by the petitioners.

(2) All petitions, memorials and other papers addressed to the Senate or to the President and members shall be presented to the Senate by the Clerk.

(3) A brief statement of the contents of such petitions, memorials or other papers shall be made orally by the Clerk.

(4) Every such petition, memorial or other paper shall be ordered filed or referred to a committee, as of course, by the President, unless such action is objected to by a member at the time such petition, memorial or other paper is presented.

(5) No such petition, memorial or other paper shall be debated on the day it is presented, except with the consent of the Senate.

PART VIII. ORDER; DEBATE; VOTING

Rule 65. Questions of Order

(1) A question of order may be raised at any stage of the proceedings, except during the calling of the roll when the Ayes and Noes are called for. Unless submitted to the Senate, such questions shall be decided without debate by the presiding officer, subject to an appeal to the Senate. Laying such appeal on the table shall be held as sustaining the ruling of the presiding officer.

(2) Any question of order may be submitted to the Senate for its decision.

Rule 66. Debate: General Limitation

No member shall speak more than twice, unless such member be the movant of the matter pending, in which case such member shall not be permitted to speak in reply until every member choosing to speak shall have spoken.

Rule 67. Voting: Methods

There shall be five methods of ascertaining the decision of the Senate upon any matter.

(1) First, by voice or raising of hands; Second, by rising; Third, by ballot; Fourth, by call of the roll of the members and a record of the Clerk of the vote of each; and Fifth, by unanimous consent.

(2) Whenever the Senate is ready to vote on any question, the President shall rise, and after stating the question, shall request all those in favor of the affirmative of the question to vote "Aye." The President then shall call upon all voting in the negative of the question to vote "No." The President then shall announce the result to the Senate.

(3) If any member shall doubt the result, as announced, the President again shall state the question and call upon the members to vote by rising in their

places, and they shall remain standing until counted, and the result again shall be announced.

(4) The method of voting by ballot shall be as customary. The President shall appoint one or more tellers, or direct the Messengers to collect the ballots, which shall be counted by the Clerk, and the results announced by the President. Unless otherwise prescribed by these rules, on motion, the Senate may vote upon any question by ballot.

(5) Whenever one-fifth of the members present shall request, the Clerk shall call the roll of the members of the Senate. Each member, when called, shall vote in a clear loud voice, "Aye," if voting in the affirmative, or "No" if voting in the negative. The Clerk shall record each vote and such record shall become a part of the Journal of the Senate. The President shall announce the results as above set forth.

(6) With the unanimous consent of the Senate, the President may direct the Clerk to record an "Aye" vote for each member of the Senate. If there is no objection, the Clerk shall so record the vote. If there is objection, the President shall ask for the names of the members voting "No" and order the Clerk to record no votes for them.

Rule 68. Voting: Rights of Members

(1) No member, on any account, shall refrain from voting unless excused by the President. A member may vote "Kanalua" the first time the member's name is called by the Clerk on any vote, but if the member votes "Kanalua" on the next call of the member's name, the member's vote shall be recorded as "Aye."

(2) The President may excuse a member who has a monetary interest in the question, or whose right to a seat in the Senate will be affected by the question, or whose official conduct is involved in the question. If a member thinks there may be a personal interest in the question, the member shall rise and disclose the interest to the President. The President then shall rule whether the member has a conflict of interest. If so, the member shall be excused from voting.

(3) Whenever the Ayes and Noes are called, no one, without unanimous consent, shall be permitted to explain a vote.

(4) After the announcement by the President of the result, no one shall be allowed to vote or to change a vote.

PART IX. DECORUM; DISCLOSURES; PUNISHMENT

Rule 69. Punishment of Members

The Senate may punish a member for misconduct, disorderly behavior or neglect of duty by censure, or upon a two-thirds vote of all the members of the Senate, by suspension or expulsion of such member.

The President may appoint a Special Committee to investigate, hear and report upon the conduct of any member charged by the Senate for misconduct, disorderly behavior or neglect of duty. Any member so charged by the Senate shall be informed in writing of the specific charge or charges made against the member and have opportunity to present evidence and be heard in the member's own defense. Following its investigation and hearing the Special Committee shall file its report with the President setting forth its findings and recommendations.

In the event the committee recommends censure, suspension or expulsion, the President shall present the report of the committee to the Senate for its consideration and decision. The Senate, by a majority vote, may censure a member or, upon a two-thirds vote of all the members of the Senate, suspend or expel a member.

Rule 70. Decorum: Transgression of Rules

If any member transgresses the rules of the Senate, the President, or any member, may call such member to order, and, when so called to order, immediately shall sit down. The President then shall decide the question of order without debate, subject to an appeal to the Senate.

The President may call for the sense of the Senate on any question of order.

Rule 71. Decorum: Address

When any member is about to speak, such member shall rise from the member's seat and address all remarks to the President. While speaking, the member shall confine all remarks to the question under debate, shall refer to other Senators by title only (e.g., "Senator from the _____ District"; "The Chairman of the Committee on _____"; "The Majority Leader,") and not by name and shall avoid personalities.

Rule 72. Decorum: Person Called to Order While Speaking

Whenever any person shall be called to order while speaking, such person shall be deemed to be in possession of the floor when the question of order is decided and may proceed with the matter under discussion.

Rule 73. Decorum: Presence in Senate

No person shall sit at the desk of the President or Clerk, except by permission of the President, nor shall any person, other than a member, officer or permitted employee or person, sit in the main Senate floor area during any of the sessions of the Senate.

Rule 74. Decorum: Conduct in Session

When the President is putting any question or addressing the Senate, no one shall walk out of the room or across the floor. When a member is speaking, no one shall entertain a private discourse, nor shall anyone pass between the member speaking and the Chair.

Rule 75. Decorum: Disorderly Conduct in Session

If, during any session of the Senate, any member should behave in a disorderly manner the President shall order the member to be seated and preserve the peace. If such member then shall persist in disorderly conduct, the President shall order the Sergeant-at-Arms to remove the member from the Senate and the member shall not be permitted to take a seat during the remainder of that day's session, except upon satisfactory pledge given to the Senate for future good behavior.

For the punishment of any person not a member, the provisions of Section 18, Article III, of the Constitution shall govern.

Rule 76. Decorum: Recording of Debate Called to Order

If any Senator is called to order for words spoken in debate, upon the member's demand or on that of any other Senator, the words objected to shall be taken down in writing and noted by the Clerk, and, if required, shall be read for the information of the Senate.

Rule 77. Decorum: Smoking

No member or other officer shall smoke within the Senate Chamber during any of the meetings of the Senate unless authorized by the President.

Rule 78. Decorum: Solicitation Prohibited

An officer or employee of the Senate shall not solicit subscriptions, for any purpose, from any other officer or employee thereof, nor from any Senator. Nor shall any person be permitted to solicit or receive subscriptions of contributions for any purpose on the floor or in the lobby of the Senate or in any Senate office.

Rule 79. Disclosures

Each member shall file with the Ethics Commission of the State of Hawaii a disclosure of the member's private financial interests, as prescribed by law. Each member shall file with the Ethics Commission any change in such financial interests.

If a legislative matter which affects a member's interests arises before the member has made a disclosure to the Ethics Commission, the member shall disclose orally such interest to the Senate before voting. The member then shall immediately make the written disclosure required by law and the Rules of the Senate.

Any member who has filed a disclosure as required by this Rule need not make a further oral disclosure on the Senate floor of any interest so filed.

Rule 80. Violating Confidence

If any matter covered in Rule 32 or 33 shall be disclosed by any Senator, the Senator shall be liable to censure, or, by a two-thirds vote, to suspension or expulsion from the Senate. If an officer or other person authorized to hear such matter shall disclose the matter, such officer shall be dismissed and such other person shall be liable to punishment for contempt comparable to the punishment provided for by Section 18, Article III, of the Constitution and in the manner as therein prescribed.

PART X. QUESTIONS TO STATE OFFICERS

Rule 81. Questions to State Officers

Any member of the Senate may ask any question of any state officer relating to the officer's respective department reducing such questions to writing, over the member's signature, reading the same before the Senate, and furnishing the officer with a copy of such written question. Any officer questioned shall reply to such question upon the following day, unless the Senate shall grant a definite extension of time for replying.

PART IX. AMENDMENT, SUSPENSION AND INTERPRETATION OF RULES

Rule 82. Amendments; Suspension

(1) No rule of the Senate shall be amended or rescinded nor shall any new rule be adopted, without one day's notice of such change. Any such action shall require a majority vote of the members of the Senate.

(2) Any rule may be suspended for a particular purpose with the unanimous consent of the Senate.

Rule 83. Parliamentary Procedure

The Rules of Parliamentary Procedure as laid down by Cushing, and as interpreted and practiced in the Senate of the United States, where not inconsistent with these Rules shall govern the Senate.